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# INVESTIGATIVE SUMMARY

**INTERNAL AFFAIRS BUREAU**
**INVESTIGATION SUMMARY**
**IAB CASE #IV 2278843**

**COMPLAINANTS:** NONE

**SUBJECTS:**

**ANDRADE, ALFONSO**, Deputy Sheriff #[redacted]
Men's Central Jail

**DELGADO, HERNAN**, Deputy Sheriff #[redacted]
Men's Central Jail

[redacted], Deputy Sheriff [redacted]
Men's Central Jail

[redacted] Deputy Sheriff [redacted]
Men's Central Jail

[redacted], Deputy Sheriff [redacted]
Men's Central Jail

[redacted], Deputy Sheriff [redacted]
Men's Central Jail

[redacted], Deputy Sheriff [redacted]
Men's Central Jail

**LOCATION:** **"Quiet Cannon"**
901 Via San Clemente, Montebello, California 90640

**DATE/TIME OF INCIDENT:** December 10, 2010 at approximately 2310 hours

**DATE OF DEPARTMENT NOTIFICATION:** December 10, 2010

**ALLEGATIONS**

1. 3-01/030.10 – Obedience to Laws, Regulations and Orders.

2. 3-01/030.05 – General Behavior.

3. 3-01/030.06 – Disorderly Conduct

## SYNOPSIS

On Friday, December 10, 2010, approximately 100 people attended the Men's Central Jail Christmas Party, which was held at Quiet Cannon in the "Cannoneer Room". During the party the attendees appeared to enjoy the festivities. There was a bar, and attendees were able to purchase alcoholic beverages at their individual discretion.

Shortly after 2300 hours several deputies were on a stairway landing engaged in a conversation. Deputy [redacted] became involved in a heated discussion with several other deputies. The discussion quickly escalated into an argument at which time Deputy [redacted] intervened and attempted to diffuse the situation by escorting Deputy [redacted] away.

Deputies Alfonso Andrade, Hernan Delgado, [redacted], [redacted], [redacted], [redacted] and [redacted] reportedly attacked and physically assaulted Deputies [redacted] and [redacted] This assault was witnessed, in-part, by some the guests of both the Men's Central Jail party as well as some guests from a party being held in an adjacent banquet room ("VIP Room"). As a result of being assaulted, Deputies [redacted] and [redacted] sustained injuries. Deputies [redacted] and [redacted] injuries were described as bruises, abrasions, and muscle strain.

Several deputies intervened and stopped the fight by physically restraining the involved parties. Immediately following the fight, Deputy [redacted] confronted Deputy Andrade regarding his actions. Deputy Andrade reportedly punched [redacted] [redacted] in the face.

The Montebello Police Department received two separate 9-1-1 calls reporting the fight at the Quiet Cannon and dispatched officers to investigate. Montebello Police Officers subsequently arrived at the Quiet Cannon and spoke with several unidentified deputies. The officers left the scene after an unidentified Sheriff's Department employee informed them the incident would be handled internally by the Sheriff's Department.

## INTERNAL AFFAIRS BUREAU INVESTIGATION

*Internal Criminal Investigations Bureau (ICIB) conducted a criminal investigation regarding this incident. During the investigation audio recorded interviews of involved parties and witnesses were conducted. A review of these recorded statements confirmed that the ICIB investigator's summaries are accurate. For a summary of the statements given, refer to the criminal investigation case book* ***(Volume 3, Exhibit A).*** *For the complete and detailed statements refer to the verbatim transcripts and/or digital audio files included with this investigation.*

This investigation, in large part, is based around the criminal investigation conducted by ICIB. Throughout their investigation over 180 possible witnesses and involved parties, including department personnel and civilians, were interviewed.

A large portion of those interviewed left the premises, and/or were not present during the incident. Several others were on the premises; however, did not see any portion of the incident.

Still, many others saw a portion of the incident; however, were not able to give any pertinent information to the identification of those involved or a detailed account of actions.

The above mentioned witnesses' statements will be grouped and a general statement given as to their location and observations.

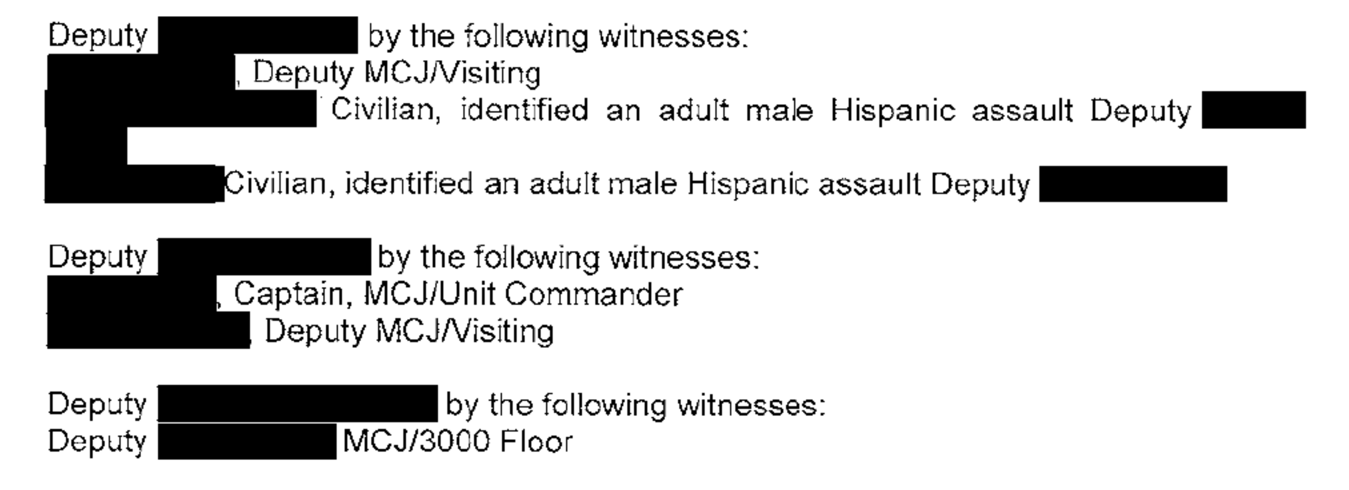
Throughout the criminal investigation, additional details pertaining to what occurred just prior to the fight, the fight itself, and what occurred immediately after the fight, were brought to light. Internal Affairs Bureau conducted follow up interviews addressing the following areas:

- The alleged assault and all parties involved.
- The actions and observations of department supervisor personnel throughout the course of the party, as well as during and after the incident.
- The conduct of approximately three department employees who were allegedly disrespectful and hostile toward the Quiet Cannon Manager prior to the fight.
- The conduct of one or more employees who were allegedly disrespectful and uncooperative with Montebello police officers when they arrived on scene as a result of the fight.
- The consumption of alcohol and any alcohol related policies.

The alleged assault is directly addressed by ICIB. Four link charts **(Exhibits F, G, H and I)** were created to show which witnesses identified each subject and their actions. A copy of these link charts is included behind this summary.

These deputies were identified as having participated in the fight.

Deputy **ANDRADE, ALFONSO**, (SUBJECT), was identified as assaulting:



Deputy [redacted] by the following witnesses:
[redacted], Deputy MCJ/Visiting
[redacted] Civilian, identified an adult male Hispanic assault Deputy [redacted]
[redacted] Civilian, identified an adult male Hispanic assault Deputy [redacted]

Deputy [redacted] by the following witnesses:
[redacted], Captain, MCJ/Unit Commander
[redacted], Deputy MCJ/Visiting

Deputy [redacted] by the following witnesses:
Deputy [redacted] MCJ/3000 Floor

Subject **DELGADO, HERNAN**, (SUBJECT), was identified as assaulting:

Deputy [redacted] by the following witnesses:
[redacted] Captain, MCJ/Unit Commander
[redacted], Deputy, MCJ/Visiting
[redacted], Lieutenant, MCJ
[redacted], Deputy, MCJ/Visiting
[redacted] Civilian, VIP Room
Deputy [redacted] MCJ/Visiting

Deputy [redacted], (SUBJECT), was identified as assaulting:

Deputy [redacted] by the following witness:
[redacted] Deputy, MCJ/Visiting

Deputy [redacted] (SUBJECT), was identified as assaulting:

Deputy [redacted] by the following witnesses:
[redacted], Deputy, MCJ/Visiting
[redacted], Civilian, VIP Room
[redacted], Civilian ([redacted] of Lt. [redacted])

Deputy [redacted] by the following witnesses:
[redacted] Civilian ([redacted] of Lt. [redacted])

Deputy [redacted], (SUBJECT), was identified as assaulting:

Deputy [redacted] by the following witnesses:
[redacted], Deputy, MCJ/Visiting
[redacted] Deputy, MCJ/Visiting

Deputy [redacted], (SUBJECT), was identified as assaulting:

Deputy [redacted] by the following witnesses:
[redacted], Sergeant, IRC/Inmate Services
[redacted], Lieutenant, MCJ/Operations
[redacted], Captain, MCJ/Unit Commander
Sgt. [redacted] MCJ/Visiting

Deputy [redacted] identified as assaulting:

Deputy **Hernan Delgado** by the following witnesses:
[redacted], Deputy, MCJ/3000 Floor
Hernan Delgado, Deputy, MCJ/3000 Floor
[redacted], Deputy, MCJ/3000 Floor
[redacted], Deputy, MCJ/Visiting (In reported self defense)

Deputy [redacted] identified as assaulting:

Deputy **ANDRADE, ALFONSO** by the following witnesses:
[redacted] Deputy, MCJ/3000 Floor
[redacted], Deputy, MCJ/3000 Floor
[redacted], Deputy, MCJ/3000 Floor
Andrade, Alfonso, Deputy, MCJ/3000 Floor

## SUBJECT INTERVIEWS

ICIB interviewed each of the seven subjects at the onset of the criminal investigation. The subjects all stated that they wanted to give a statement; however, they were advised by their attorney not to make a statement at that time. After this initial interview each of the subjects was photographed by Scientific Services Bureau **(Volume 3, Exhibit A, page 395).**

**ANDRADE, ALFONSO**, Deputy Sheriff #[redacted], Men's Central Jail, 3000 Floor

**DELGADO, HERNAN**, Deputy Sheriff #[redacted] Men's Central Jail, 3000 Floor

[redacted] Deputy Sheriff #[redacted], Men's Central Jail, 3000 Floor

[redacted], Deputy Sheriff #[redacted], Men's Central Jail, 3000 Floor

[redacted] Deputy Sheriff #[redacted], Men's Central Jail, 3000 Floor

[redacted] Deputy Sheriff #[redacted] Men's Central Jail, 3000 Floor

[redacted], Deputy Sheriff #[redacted], Men's Central Jail, 3000 Floor

During the criminal investigation, two subjects (Subject Alfonso Andrade and Hernan Delgado) gave voluntary statements to ICIB.

Subject **Alfonso Andrade** was interviewed by ICIB investigators and gave his account of his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Subject Andrade's interview with ICIB refer to their Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 144)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Subject Andrade stated that he was talking to Deputy [redacted] when Deputy [redacted] grabbed him by the throat with one hand and began squeezing. Subject Andrade said he was unable to break free from Deputy [redacted] grasp and he was unable to breathe. Deputy [redacted] then put Subject Andrade into a headlock. Subject Andrade punched Deputy [redacted] in an effort to break free from Deputy [redacted].

Subject Andrade stated he did not assault Deputy [redacted] or Deputy [redacted].

Subject **Hernan Delgado** was interviewed by ICIB investigators and gave an account of his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Subject Delgado's interview with ICIB refer to their summary, which is located in the criminal case book **(Volume 3, Exhibit A, page 147)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Subject Delgado said he and other deputies were talking to Deputy [redacted] on the middle landing of the stairway when Deputy [redacted] began cussing at them. Subject Delgado saw an unknown male (Deputy [redacted]) walk into the group of deputies and began pushing deputies. Subject Delgado said he put his hand on Deputy [redacted] chest in an effort to keep him back. Subject Delgado said Deputy [redacted] punched him in the mouth causing him to feel dazed. Subject Delgado said he reached out and bear hugged Deputy [redacted]

Subject Delgado said he never struck Deputy [redacted].

**IAB Note: It was the intention of IAB to conduct interviews of all subjects after ICIB determined they were no longer seeking to interview the seven subjects regarding the criminal investigation. An injunction was filed by The Law Offices of Green and Shinee prohibiting IAB from interviewing any subjects that are suspects in a criminal investigation. Therefore this investigation is being submitted without subject interviews (Refer to Miscellaneous Documents for a copy of the injunction order).**

## INVOLVED EMPLOYEE INTERVIEWS
**(Employees identified as a victim/suspect in the incident)**

Witness [redacted], is assigned to Men's Central Jail / Visiting Rear. Witness [redacted] was interviewed by ICIB investigators regarding her actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 14)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview with Witness [redacted] regarding her actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell her story, but to present her with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

Witness [redacted] reiterated what she stated in her ICIB interview and added some additional, clarifying information.

Witness [redacted] statement and description of the incident during this interview was essentially the same as she provided to ICIB investigators. Witness [redacted] additionally stated that prior to the altercation she observed that Witness [redacted] appeared to be intoxicated. Witness [redacted] said that during the party she sat with Witness [redacted], and ate dinner at the same table. She stated that while they were served dinner, she saw and heard Witness [redacted] make rude comments to the server. Witness [redacted] felt that this behavior was out of character, and that Deputy [redacted] was acting that way as a result of being intoxicated.

Witness [redacted] answered questions presented to her based on other witness interviews conducted throughout the criminal investigation. Witness [redacted] stated that after the initial fight on the landing she approached Subject Andrade and began asking him why he would assault a fellow deputy. Witness [redacted] said she got to within three feet of Deputy Andrade as she was talking to him. Subject Andrade was being pulled away from the location by two other deputies and he reached over their grasp and struck Witness [redacted] in the chin with his fist. Witness [redacted] contends that she did not make any threatening movements or gestures toward Subject Andrade that would cause him to strike her.

**IAB Note:** **Deputy Andrade denied striking Witness [redacted] during his interview.**

Witness [redacted] said that prior to being struck by Deputy Andrade, she saw Deputy [redacted] standing in between Deputy Andrade and herself. Witness [redacted] estimated that she was approximately five feet away from Deputy Andrade and Deputy [redacted] was in between them, approximately two or three feet away from her and slightly to her left. Witness [redacted] was positive of her identification of Deputy [redacted] because he was facing them, and she has known him for some time. As soon as she was struck by Deputy Andrade, Deputy [redacted] instantly grabbed her by the shoulder and turned her away from Deputy Andrade, walking her toward the staircase, saying "let's go."

**IAB Note:** **Deputy [redacted] stated that he did not witness Deputy Andrade strike Deputy [redacted] and that he was not in proximity of Deputy [redacted] and Deputy Andrade after the incident (Refer to Deputy [redacted] ICIB and IAB interview transcripts.)**

After the initial fight on the landing, Witness [redacted] was not present and did not talk to any Montebello police officers. Witness [redacted] said she was not around or in the proximity of Montebello police officers. Witness [redacted] said she was not present when Montebello police officers were trying to talk to any of the deputies and was not interrupting or otherwise interfering with Montebello Police officers when they tried to talk to deputies leaving the area.

**IAB Note:** **Deputy [redacted] stated that he went and put his arm around Witness [redacted] and directed her toward the stairs because she was basically interrupting Montebello police officers as they**

**were trying to talk to deputies.**

Witness [redacted] said she does not know why Deputy [redacted] would deny being present when Subject Andrade assaulted her. Witness [redacted] also does not know why Deputy [redacted] would say she was interrupting Montebello police officers.

Witness [redacted] denied that she was yelling that she was "from [redacted]" which is what is alleged in some interviews conducted by ICIB. Witness [redacted] acknowledged that she lived in [redacted] and was asked how people at the party would know that, to allege she said those words. Witness [redacted] stated that a large amount of people she works with knew prior to the party that she resides in [redacted] She further stated that some co-workers call her "[redacted]" as a nickname or tease her because she lives in [redacted].

Witness [redacted] said that several days after the incident, she began to hear rumors about her actions during the incident. She said she heard that during the incident someone heard her shouting "[redacted]" Witness [redacted] said that rumor is false. She said she never said anything about "[redacted]," nor does she know why someone would say that she did.

**IAB Note: During her interview Witness [redacted] was shown several photographs. The photographs are included with her interview transcripts, in this case book.**

For her complete statement refer to Witness [redacted] interview transcripts.

Witness [redacted] is assigned to Men's Central Jail / Visiting Rear / High Power. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 20)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding Deputy [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

Witness [redacted] statement and description of the incident during this interview was essentially the same as he provided to ICIB investigators. Witness [redacted] reiterated that he and Deputy [redacted] carpooled to the party. Witness [redacted] said he does not drink, and he was the designated driver for himself and Deputy [redacted] Witness [redacted] said he was assaulted by Subjects Delgado, [redacted], and Andrade. He stated that he did not see how Witness [redacted] sustained his injuries.

As Witness [redacted] and Deputy [redacted] were leaving they went down the top set of stairs to the middle landing and [redacted] said he wanted to talk to a group of deputies standing on the middle landing. Witness [redacted] said it seemed like the group of deputies were waiting for Deputy [redacted] Witness [redacted] identified the group standing on the landing as; Deputies [redacted], [redacted] [redacted], [redacted], Andrade, and [redacted].

Witness [redacted] said he looked at the group that was on the landing and recognized the individuals. The conversation between Deputy [redacted] and the group went on for approximately four to five minutes. Deputy [redacted] remembers Deputy [redacted] going up the stairs to the top landing and coming back down a couple of times. At one point Deputy [redacted] had a conversation with Deputy [redacted] on the middle landing and is sure that Deputy [redacted] was present on the landing.

**IAB Note: Deputy [redacted] denies being on the landing prior to the incident.**

Witness [redacted] identified all the deputies that he knew were on the landing and how he was able to recognize each of them. Witness [redacted] was able to identify when, where, and under what circumstances he has come in contact with the deputies involved in this incident. Witness [redacted] felt that all the deputies he knows should also know him and there is no way they would mistake him as someone other than a deputy sheriff. Witness [redacted] stated that Subject Delgado is the only one that he did not know from prior contact.

**IAB Note: Witness [redacted] was able to give specific details as to his prior contact with the subjects in this investigation as well as other deputy personnel that were present (Refer to IAB transcript pages 3-7).**

**Additional: Witness [redacted] stated, in his IAB interview, that he had never seen and did not know Deputy [redacted] prior to this incident.**

Witness [redacted] stated that once he saw that Deputy [redacted] conversation with the subjects was escalating into a heated argument, he went to get Deputy [redacted] in order to defuse the situation. It was at that time that he saw Subject Delgado sitting on the stairs leading up to the top landing where the banquet rooms are located. When Witness [redacted] made contact with Deputy [redacted], Subject Delgado came up behind him, grabbed him, and said, "Let go of my partner." Subject Delgado spun Witness [redacted] around and attempted to take him to the ground.

Witness [redacted] said he is very clear that Subject Delgado was not just pulling him away. Deputy [redacted] felt himself being taken to the ground. Witness [redacted] said that he used his left foot to brace himself from falling, and then he struck Subject Delgado in the face.

Witness [redacted] was asked why he did not push Subject Delgado away and try to create some distance. Witness [redacted] said that, based on the way the conversation had escalated to an argument, the finger pointing and body language of all present, and the way he was grabbed, it was very clear in his mind that this was now a fight and he reacted to defend himself. Witness [redacted] felt as if he was being assaulted with the intent to cause injury. His first and immediate reaction was to punch the person that was assaulting him.

Witness [redacted] said he did not approach the group or Deputy [redacted] in a threatening manner. Witness [redacted] said there wasn't anyone between Deputy [redacted] and himself, and he did not bump or push anyone as he contacted Deputy [redacted].

Witness [redacted] was interviewed a second time by Internal Affairs Bureau Sergeant Carlos Flores on February 16, 2011, at 0930 hours. The interview was conducted at Witness [redacted] residence, and was digitally audio recorded.

Witness [redacted] was shown two photographs **(Volume 2, Exhibit B-2),** which were taken at the Christmas party on December 10, 2011. The photographs depict several people sitting at a table. Witness [redacted] identified one of the males as the senior deputy who asked him if he had been drinking, and advised him that his gun was exposed. The male was identified as Witness Senior Deputy [redacted] #[redacted]

> **IAB Note: During his interviews with ICIB and IAB investigators, Witness [redacted] stated that during a momentary lull in the assault, he was approached by an unidentified senior deputy. He said the deputy asked him if he had been drinking, and advised him that his firearm was exposed. That deputy has been identified as Witness [redacted] #[redacted].**

Witness [redacted] provided additional information regarding the injuries he sustained during the incident. Witness [redacted] suffered bruising and swelling to his head, left eye area, and left rib area. He stated that the results of his "MRI" test reveal that he has a "Bulging Disk" in his lower back that may require some "Epidural injections."

> **IAB Note: During his interview Witness [redacted] was shown several photographs (Exhibit B). The photographs are included with his interview transcripts, in this case book.**

For his complete statement, refer to Witness [redacted] interview transcripts.

Witness [redacted] is assigned to Men's Central Jail / Visiting Front. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 27).** For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding Deputy [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

Witness [redacted] stated that he attended his unit Christmas party with his partner, Deputy [redacted] During the party Witness [redacted] said he was having a good time and there had been no tension that he observed. Witness [redacted] stated that he was not armed, and throughout the evening between approximately 1830 hours to 2300 hours, he consumed approximately 10 beers and one shot of alcohol. During the course of the evening, Witness [redacted] stated that he spoke with a male Hispanic deputy NFD, that he had seen earlier congregating with deputies that work the 3000 floor at Men's Central Jail. Witness [redacted] said he and the deputy were outside on the top landing area smoking a cigarette when he struck up a conversation. Witness [redacted] stated that he did not know the deputy but assumed he worked the 3000 floor and began to explain to him the importance of the visiting area. Witness [redacted] said he told this deputy how the 3000 floor deputies were habitually slow in getting their inmates down to visiting when called for.

**IAB Note: Witness [redacted] later identified Deputy [redacted], from a group photograph, as the deputy he was speaking to.**

Witness [redacted] said he did not think much about the conversation and the deputy did not respond to him in a negative manner. A short time later, Witness [redacted] said he was outside on the upper landing, again, saying goodbye to people when he was motioned down to the second or middle landing by a group of about three deputies that he recognized as working the 3000 floor.

Witness [redacted] stated he went to the middle landing and had a conversation with the 3000 floor deputies. During the conversation he heard one of them say something to the effect of, "You disrespected us." Witness [redacted] said he felt Witness [redacted] pulling on his arm saying let's go, and the next thing he remembered he was waking up on the ground. Witness [redacted] said he was being kicked and punched from several different people. Witness [redacted] could not see who was kicking or punching, because he was face down, trying to protect himself by covering his head and face with his arms.

Witness [redacted] said he did not assault anyone or place any of the subjects in a headlock or choke hold.

The assault lasted between one and two minutes and then there were others there breaking it up. Witness [redacted] was helped up by Sgt. [redacted] and escorted down the stairs to the ground level. While on the ground level he saw Montebello PD arrive. Witness [redacted] saw Captain [redacted] and Captain [redacted] standing close by and Captain [redacted] asked him what he wanted to do.

Witness [redacted] said he told Montebello PD he was ok and that his unit would handle the incident internally.

**SECONDARY INVOLVED EMPLOYEE INTERVIEWS**
**(Employees acknowledging or identified as taking an active role in the incident)**

Witness [redacted] is assigned to Men's Central Jail / 3000 floor. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 92)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] said that he attended the December 10, 2010, Christmas party with his [redacted] Witness Deputy [redacted] He said they arrived at the party between 1900 and 2000 hours. He said that throughout the course of the party he did not witness any hostilities between the attendees. Witness [redacted] said he drank one beer while at the party.

Witness [redacted] said that as he prepared to leave he went out onto the stairway's top landing, and saw a group of people standing on the middle landing. He said he saw Subject Delgado get punched in the face by someone he later learned was Witness Deputy [redacted] Witness [redacted] said he saw Subject Delgado move backwards as if he was going to fall, but regained his balance. Witness [redacted] then saw Subject Delgado move forward, as if moving toward Witness [redacted]

Witness [redacted] said that the two deputies (Subject Delgado and Deputy [redacted] were separated by several of the people standing on the middle landing. Witness [redacted] then saw Captain [redacted] run down the stairs onto the middle landing, and he followed. He said that the crowd then began moving down the stairs to the ground level.

Witness [redacted] said he went down to the middle landing and saw Witness Deputy [redacted] walking toward Subject Delgado. Witness [redacted] and other people got in between the two, in order to prevent another confrontation. Witness [redacted] said that a Montebello Police Officer arrived and told him and a group of deputies to walk over to him. He said that they did as they were told, and he heard Subject Delgado tell the officer that he had been involved in a mutual battery. Witness [redacted] said that the officer subsequently told them all to leave.

Witness [redacted] said he saw Subject Delgado's shirt stained with blood, and it appeared that he was bleeding from his lip. He said he later saw Witness [redacted] by the bathroom, and it appeared that his face was "bruised up." Witness [redacted] said he did not see Witness [redacted] however, he said he did see Witness [redacted], and she appeared to be very upset. Witness [redacted] said he also saw her shouting at Subject Deputy Andrade shortly after the incident occurred.

Witness [redacted] said that the only punch he saw being thrown was when Witness [redacted] struck Subject Delgado. He said he does not know if they had already been fighting, when he saw that punch being thrown. He said that it appeared to him that Witness [redacted] was "intoxicated."

For his complete statement, refer to Deputy [redacted] interview transcript.

Witness [redacted] is assigned to Men's Central Jail / 3000 floor. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 91)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Deputy [redacted] was asked who he went to the party with. He said that he and Deputy [redacted] car pooled together. They did not pick up anyone else, and they did not attend any of the pre-parties.

Deputy [redacted] said that he had eight, nine, or ten drinks. He also said he did not have his weapon on him, it was in his vehicle.

He said that six of the relieved of duty deputies who work the 3000 floor showed up to the party as a group.

While he was out on the upper landing, he said that there was a combination of persons from the C.J. party and another party. When asked who was on the landing he said, Captain [redacted] Lieutenant [redacted], Sergeant [redacted], and Deputy [redacted].

> **IAB Note: Throughout the interview, Deputy [redacted] was vague in all of his answers as to what, and who he saw.**

When asked if he saw an altercation that took place, he said he was on the upper landing talking to Captain [redacted]. He saw out of the corner of his eye a big commotion. He ran downstairs and saw Deputy Andrade "wrestling with Deputy [redacted]" He said that they were wrapped around each other and Deputy Andrade was saying, "Let me go".

He tried to pull them apart but was not able to. He was pushed out of the way, and he walked down stairs. He said everyone was saying, "Break it up, break it up".

When asked who was controlling who, he said that it appeared if they were in a stalemate, and as if they were wrestling.

He said that there were about 15-20 people involved. When asked if he saw any injuries to Deputy [redacted] face, he said he didn't really notice any.

When he went back upstairs, another fight broke out. He ran back down, but it was already broken up. He saw Deputy [redacted] and he had a couple of lumps on his face. When asked if he saw anyone else with any injuries, he stated, "It, well I saw [redacted], too. He had like a couple lumps on his face, too. Kind of like, I want to say, I mean you know, just lumps, whatever. I don't really, I didn't look at him that much. I just, we were just trying to get out of there."

When the fighting was over, Deputy [redacted] went back upstairs and paid the open bar tab. He then went to find Deputy [redacted]. When asked where he found Deputy [redacted] to be, he said he couldn't really remember. When asked what he did next, he said they went to the Q.C. club because they did not want to leave right away because they had been drinking. They were denied access to the club because of the "commotion." They left, and he drove Deputy [redacted] home.

Deputy [redacted] was asked if Deputy [redacted] had discussed what happened, and he stated, "He, I didn't, we didn't really talk. We were just like trying to figure out what was going on. He didn't really talk too much about it, but he didn't really, I don't really remember anything that he was saying. I just remember trying to get home. Like, we were told to leave. So, but we, I was able to drop him off and then from there I went home, back to my house, which was like another ten minutes maybe."

Deputy [redacted] was asked if he saw if Deputy [redacted] had any injuries. He said he did not notice any. Deputy [redacted] was asked if he knew why Deputy [redacted] was relieved of duty. He said he did not know why.

When asked if he had spoken with Deputy [redacted] he said he had a couple of times. He was asked if Deputy [redacted] had talked about why he was relieved of duty he stated, " We didn't get too much into his, I didn't really want to talk to him about it, because of his you know, you want to bring it out and I already know he's feeling bad about being away from work. So I would, I just remember asking him if he needed anything, if you know, he wanted to talk and stuff and he didn't really want to talk too much regarding that and I know what I, I know what I, if I'm ever, I know if I was in that position, I wouldn't really want to talk about it too much, you know?"

Because Deputy [redacted] knows all of the deputies who were relieved of duty, he was asked if he talked to any of them. He stated, "No, I didn't really want to, I didn't bring it up and I didn't really want to. I think, I talked to [redacted] a little, but I didn't really want to get into, bring it up to him. So, he didn't really, I didn't ask him, he didn't really talk too much about it. Just because I, I know that, I feel bad about them being relieved and I know that if I was, I wouldn't really want to be talking about it too, too much with other people. I would just you know, it's kind of depressing, but." When asked if he knew how much Deputy [redacted] had to drink he said, "Almost as much as me."

IAB investigators conducted a follow-up interview regarding Deputy [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is

included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding, Deputy [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

**IAB Interview, Deputy [redacted]**

IAB interviewed Deputy [redacted] for the purpose of asking clarifying questions, which were generated based on other interviews conducted during ICIB's investigation.

It was reported by other people, in their interviews, that Deputy [redacted] had more involvement than what was determined in his interview with ICIB. Deputy [redacted] was given the opportunity to answer additional questions and add additional information. During this interview Deputy [redacted] was presented with information from other witnesses and asked regarding those observations.

Deputy [redacted] was specifically asked if he "shielded" Deputy [redacted] from an aggressive charge by Subject Delgado while at the bottom of the stairs on the street level. Deputy [redacted] said he did not see Subject Delgado charge at Deputy [redacted] and did not place himself in between Deputy [redacted] and Subject Delgado.

**IAB Note:** **According to Deputy [redacted]' statement, Deputy [redacted] "shielded" him from Subject Delgado, when Subject Delgado charged at him at the bottom of the stairs.**

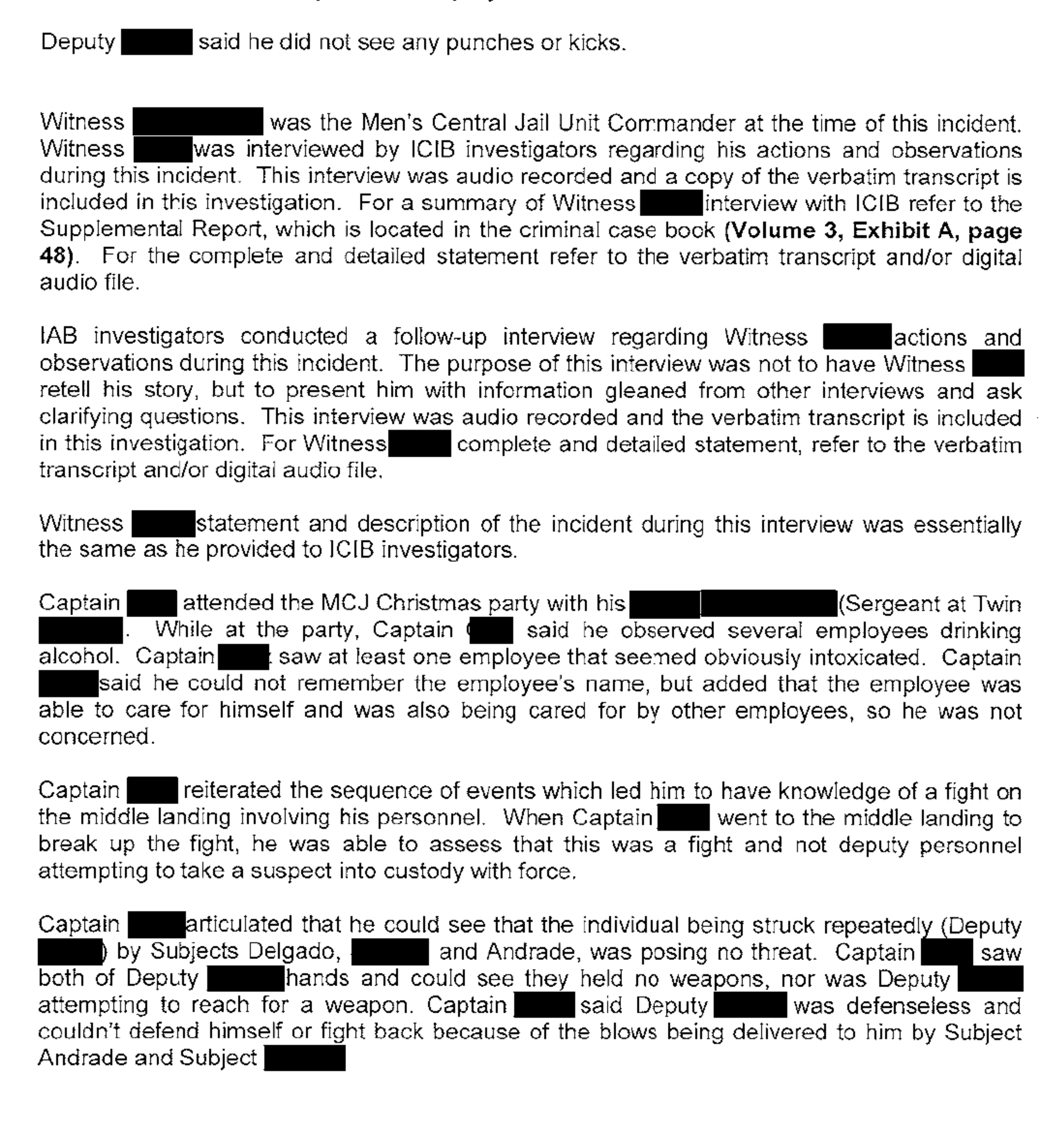
**According to Deputy [redacted], Deputy [redacted] was restraining Subject Delgado at the bottom of the stairs.**

Witness [redacted] said that he saw Deputy [redacted] with his arm around Deputy Andrade in what was described as a "headlock." Witness [redacted] said he attempted to free Deputy Andrade from Deputy [redacted] grasp, but was unsuccessful. Witness [redacted] was then pushed away from the crowd by Deputy [redacted]

Deputy [redacted] said he did not see anyone else attempt to free Deputy Andrade from Deputy [redacted] grasp.

**IAB Note:** **Deputy [redacted] stated in his interview that he attempted to get Deputy [redacted] to release Deputy Andrade from a headlock. Deputy [redacted] did not see Deputy [redacted] during this time.**

**Deputy [redacted] said he attempted to break Deputy**



**[redacted] headlock grasp on Deputy Andrade. Deputy [redacted] said he did not see Deputy [redacted] or [redacted] attempt to free Deputy Andrade.**

Deputy [redacted] said he did not see any punches or kicks.

Witness [redacted] was the Men's Central Jail Unit Commander at the time of this incident. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 48)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding Witness [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

Witness [redacted] statement and description of the incident during this interview was essentially the same as he provided to ICIB investigators.

Captain [redacted] attended the MCJ Christmas party with his [redacted] (Sergeant at Twin [redacted]. While at the party, Captain [redacted] said he observed several employees drinking alcohol. Captain [redacted] saw at least one employee that seemed obviously intoxicated. Captain [redacted] said he could not remember the employee's name, but added that the employee was able to care for himself and was also being cared for by other employees, so he was not concerned.

Captain [redacted] reiterated the sequence of events which led him to have knowledge of a fight on the middle landing involving his personnel. When Captain [redacted] went to the middle landing to break up the fight, he was able to assess that this was a fight and not deputy personnel attempting to take a suspect into custody with force.

Captain [redacted] articulated that he could see that the individual being struck repeatedly (Deputy [redacted]) by Subjects Delgado, [redacted] and Andrade, was posing no threat. Captain [redacted] saw both of Deputy [redacted] hands and could see they held no weapons, nor was Deputy [redacted] attempting to reach for a weapon. Captain [redacted] said Deputy [redacted] was defenseless and couldn't defend himself or fight back because of the blows being delivered to him by Subject Andrade and Subject [redacted]

Captain [redacted] stated that once he was able to get a hold of, control Subject Delgado, and pull him away from Deputy [redacted] he stated to Subject Delgado, something along the lines of, "What are you doing, he is a deputy he is family (referring to Deputy [redacted] Captain [redacted] said Subject Delgado responded with "I thought he was... but he sucker punched me." With that statement, Captain [redacted] feels that without a doubt, Subject Delgado knew who Deputy [redacted] was and knew that he was a fellow deputy.

Captain [redacted] stated that after the parties were separated they began to disperse and head to the parking lot. Captain [redacted] had contact with Montebello police officers and identified himself verbally. Captain [redacted] advised the Montebello officers that the personnel involved were all deputy personnel and the Sheriff's Department would handle the incident. Captain [redacted] told Montebello officers this because initially he did not realize the extent of the injuries inflicted on Deputies [redacted] and [redacted] In addition, Captain [redacted] felt he knew who the involved parties were, he knew that this department has steps in place to handle situations like this and is fully capable of handling such an incident. Captain [redacted] felt that it was better for the Department to handle such an incident, and not to have another agency handle.

Captain [redacted] weighed the information he had at the moment and felt that notifying units such as IAB and/or ICIB for a roll-out would have been a waste of resources and would have caused dozens of people to have to wait around for hours until the teams arrived, which he did not feel was a good decision.

Captain [redacted] said it was not, on that night, nor ever, his intent to try to downplay or minimize this incident. Captain [redacted] called Custody Commander Eric Parra soon after the incident to make notification; however, Commander Parra did not answer his phone. Captain [redacted] then sent Commander Parra an email, from his phone, asking the Commander to call him "ASAP." When he could not contact Commander Parra, Captain [redacted] called Custody Division Chief Dennis Burns and made notification.

**IAB Note: Captain [redacted] provided investigators with a printout of an email sent from himself to Commander Parra on Saturday, 12/11/10 at 12:47 am (Volume 2, Exhibit B-4). The subject line of the email states "Call me asap." The body of the email states Captain [redacted] phone number.**

Captain [redacted] stated that he made the decision to send all the personnel home and that he would handle the incident the following day. Captain [redacted] made this decision based on the information he had at the moment. He added that Captain (then lieutenant) [redacted] or Chief Burns have no culpability in the way this was handled.

Witness [redacted] is a bonus deputy assigned to Men's Central Jail / Clinic. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation.

For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 74)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding Witness [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

[redacted] indicated that while at the party, he was on the upper landing with numerous other employees smoking a cigar, when a fight broke out among several deputies on the middle landing of the staircase. He said he did not personally know the deputies involved by name but knew some of them by sight from seeing them at the jail. According to [redacted] Deputy [redacted] who [redacted] directly supervises, accompanied him to the landing and together they tried to break up the fight. [redacted] seeing they were making little progress, and feeling responsible for [redacted] instructed him ([redacted] to leave so he could avoid injury.

[redacted] encountered [redacted] off to the side of the fight. [redacted] saw that [redacted] had what he ([redacted] thought was his Beretta in the right front pocket of his blue jeans. Being cognizant of the seriousness of having his gun with him, [redacted] told [redacted] that it wasn't a good idea to be in a fight with his gun. [redacted] said [redacted] responded that he was trying to break up the fight. [redacted] took no further action to assist [redacted] or make sure he was able to secure his gun. [redacted] said his attention was then drawn back to the fight, which was still going on, and trying to separate the combatants. [redacted] said he finally walked away, returning upstairs to get his date and collect his belongings to leave.

As [redacted] left the location he did not contact any other supervisor or inquire if his help was needed. [redacted] did not offer any assistance to [redacted] or [redacted] prior to leaving the location. He said he only encountered [redacted] during the fight, and saw [redacted] as he was leaving, but he was surrounded by people so he ([redacted] did not approach him at that time. Witness [redacted] said he was embarrassed by the whole incident and he just wanted to leave.

[redacted] said he did not detect any tensions or problems earlier in the evening which would have made him think anything was amiss among the Sheriff's Department personnel who had attended the party. After-the-fact he heard rumors that the fight was between groups of deputies that work in different areas of the jail and don't get along. He speculated that this type of incident could happen anywhere and was unsure if it could be considered a workplace violence situation.

Witness [redacted] is a sergeant assigned to Men's Central Jail / Visiting. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident.

This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 47)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding Witness [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

[redacted] is a Sergeant assigned to Visiting at Men's Central Jail for the past year. He regularly supervised [redacted] and [redacted] for ten months, on a daily basis. [redacted] supervises eleven deputies in Visiting.

[redacted] said that he arrived, alone, at the party at about 6:30 p.m. He drank three Jack and Cokes over the five to six hours he was at the Quiet Cannon. He was unarmed.

[redacted] said that prior to the fight, he was outside the Cannoneer Room on the top landing with [redacted] and [redacted], smoking cigars. [redacted] was there, as was [redacted] and [redacted] There were about thirty deputies on the upper landing including [redacted] and [redacted]

[redacted] said that he saw [redacted] and [redacted] walking down the stairs toward the middle landing. [redacted] said that he stopped [redacted] and [redacted] and shook their hands, thanked them for coming, and made sure that [redacted] had a designated driver, which he did [redacted] said that he went back upstairs, inside, to use the restroom.

[redacted] said that when he was talking to [redacted] and [redacted] he was aware that they had car pooled and that [redacted] was the driver. [redacted] had been drinking, but he wasn't slurring his words nor did he smell the odor of an alcoholic beverage on [redacted] person. [redacted] did not think that [redacted] was intoxicated. [redacted] said that he didn't think that [redacted] had been drinking and that [redacted] was definitely not intoxicated.

[redacted] estimated that he was gone from the landing about two minutes.

When he returned, no one was on the top landing. [redacted] said that he looked down at the middle landing and there was a fight. A voice called out to him, "[redacted], get down here and give us a hand." [redacted] said that at first he didn't know who was calling him. He recognized the grey shirt and black slacks of [redacted] and the bright blue dress shirt of [redacted] amid the numerous men attired in white dress shirts. [redacted] said that he went to the landing amid the swinging arms. [redacted] was holding on to somebody while someone else was still swinging their arms. [redacted] said that he parried the arm away and went to the aide of Captain [redacted], who was somewhat shorter than the other parties fighting. The fight was mostly

over at that point. [redacted] said that the crowd was moving downstairs off the landing and he followed them. [redacted] said when he went back to the middle landing he saw [redacted] on his knees. [redacted] assisted [redacted] to his feet.

[redacted] said that [redacted] was on the railing closest to the windows of the VIP Room. [redacted] was surrounded by taller males in white shirts.

[redacted] said that within five to ten seconds of his getting on the middle landing, everybody took off, and the fight stopped **(IAB transcript, page 10)**.

[redacted] said that he did not see anyone throwing punches when he was on the landing **(ICIB transcript, page 11)**. He did not see anyone get kicked **(ICIB transcript, page 13)**. [redacted] said that the stairwell was well lit.

[redacted] did not know if the fight flared up again on the grassy sidewalk at the bottom of the stairs.

[redacted] said that [redacted] had a small "raspberry" (abrasion) to the bridge of his nose and slight swelling to the left side of his left orbital, toward his eyebrow.

[redacted] said that everybody was taking off from the scene, on their own accord, at that point. [redacted] did not imagine that what he had just seen was a deputy versus deputy, or a deputies versus deputies, melee. [redacted] said that he kept looking for the "bad guy" but all he saw were deputy sheriffs. [redacted] initially thought that the combatants could have been party-goers from the VIP Room, next door to the Cannoneer Room.

[redacted] said that two Montebello Police units showed up. One of the officers got out of his car in a very aggressive manner, which [redacted] thought was understandable given that they were responding to a fight in progress type of call. [redacted] said that he told the Montebello officer that the people going to their cars, heading home, were deputies. [redacted] said he did not know the deputies names, but he had seen them in passing at the jail. [redacted] did not know if these personnel were involved in the fight. He figured that they were just walking out. [redacted] said he was just trying to let Montebello PD know that these were police officers. He told Montebello PD that he was a Sergeant and may have pointed out [redacted] and [redacted] as [redacted] **(IAB transcript, page 18)**.

[redacted] did not hear any personnel making comments to the responding Montebello PD officers, such as, "What are you going to do, arrest us?" [redacted] said that two Montebello PD units initially responded, but eventually there were four or five radio cars on scene. They left when it was determined not to be a big nightclub fight.

[redacted] said that he went back to the stairs, at the bottom of the first staircase, and [redacted] approached him. She was in shock, crying, telling [redacted] that she had been hit by a deputy **(IAB transcript, page 10)**. He asked [redacted] why was she hit by a deputy and she replied that it was because she questioned him about hitting her partner **(IAB transcript, page 10)**.

[redacted] said that he asked [redacted] if she needed medical attention and she replied that she did not. She had a little bit of swelling to the left side of her cheek. She did not tell [redacted] who hit her. [redacted] told [redacted] that she just wanted to go home. [redacted] said he asked [redacted] for more details, but [redacted] was too upset, she just wanted to go home. [redacted] said he was just trying to figure out what had just happened because everybody was leaving.

[redacted] said during the incident he did not see any firearms, whatsoever.

[redacted] said that he saw [redacted] and [redacted] talking to Montebello police officers. [redacted] and [redacted] were off to the side, in the background.

[redacted] was with [redacted] [redacted] was not sure if [redacted] had been drinking. [redacted] said that he would take [redacted] home.

[redacted] said that after he talked to [redacted] that was the point at which he realized that the fight was deputy versus deputy or deputies as opposed to be a fight with other patrons from the next door banquet room, the VIP Room.

[redacted] said that he when he saw [redacted] a day after the fight, [redacted] had a little bit of a mark to the bottom of his left eye.

**IAB Note: Refer to [redacted] two page memorandum dated December 12, 2010, to Captain [redacted] (attached to transcript.) [redacted] and [redacted] were taken to US Healthworks in downtown Los Angeles on December 11, 2010, by Sergeant [redacted].**

[redacted] said that he waited for [redacted] and [redacted] to finish their conversation with Montebello PD. Both [redacted] and [redacted] had a little swelling to the tops of their left orbitals.

[redacted] said that at the time, he had no idea how the incident started. People were yelling loudly, "Break it up," but he couldn't tell who was saying it.

[redacted] said he felt upset about what had happened. He spoke with a group of five to ten deputies for a few minutes, telling them that what happened was very embarrassing for the outgoing Captain ([redacted] and for the incoming Captain ([redacted] He said that in his fifteen years on the Department he had never seen anything like that. [redacted] said that he may have said words to the effect of once again alcohol was involved and that Mr. [redacted] will not be happy, and perhaps that Captain [redacted] promotion could be in jeopardy because of the fight. [redacted] said that those who were standing there listening to him seemed to be in shock, but seemed to understand the message he was conveying.

[redacted] said that he told those listening to him that this incident was not going to be squashed, that they better show up at the jail tomorrow and tell the truth. [redacted] said that some deputies did show up on Saturday to talk to the Captain, but by then the full magnitude of the situation was being realized **(IAB transcript, page 18)**. By then, either [redacted] or [redacted] had decided that they could not talk to the involved parties because of the investigation **(IAB**

**transcript, page 18).**

[redacted] said that he told the group that they may have become spoiled in Custody, but that back-up isn't always so quickly available in patrol. In patrol, it doesn't matter who's responding, help is help. They're all brothers in law enforcement (IAB transcript, page 30).

[redacted] said that [redacted] and [redacted] were in the group he was talking to, but he didn't know who else **(IAB transcript, page 22)** was there. [redacted] said that he felt appalled by what happened **(IAB transcript, page 31).**

[redacted] did not see any other personnel speaking with Montebello PD officers. [redacted] went back up to the [redacted] Room to get his jacket and his gift bottle of wine. He had a brief conversation with [redacted] back in the room. [redacted] gave him an extra bottle of wine because the gift that [redacted] won had been thrown away by the Quiet Cannon staff. When [redacted] came back outside, almost everybody was gone.

[redacted] said that [redacted] and [redacted] had talked to everyone else. He wanted to make sure that they still had a ride home. They told him that everything was fine and that they were going home.

[redacted] said after the fight, the injuries he saw on [redacted] face consisted of some light scratches, like fingernail marks, at the top of his forehead and a little bit of swelling to the right side of [redacted] cheek.

[redacted] said that there wasn't one supervisor that seemed to have a handle on what happened during the fight at the party **(IAB transcript, page 23).** The situation was out of control. [redacted] said [redacted] told him to come to work tomorrow so they could figure out what they had to deal with, but [redacted] was already scheduled to work anyway. [redacted] said that [redacted] was either talking with [redacted] and [redacted] or making notifications on his cell phone **(IAB transcript, page 23).**

[redacted] said that he stayed on scene about an hour after the fight, until everyone was gone, with the exception of people who were inside the adjoining night club.

[redacted] said that the rumors that he's heard is that the fight had something to do with a Visiting pass

[redacted] said that he and [redacted] took [redacted] and [redacted] for treatment at US Healthworks in [redacted] the day after. [redacted] told [redacted] at that point that the fight started when he was talking about getting bodies down from 3000 in regard to a Visiting pass, expediting passes.

[redacted] said that they had briefed at work about alcohol related off-duty incidents and not to wind up as one of the weekly cases mentioned in Undersheriff Waldie's e-mails, to have a designated driver. [redacted] said that at the party, there was no one who stuck out as being sloppy drunk, although people were drinking alcohol.

[redacted] said that [redacted] face was nowhere nearly as swollen the night of the fight as it was the following afternoon when he and [redacted] took [redacted] and [redacted] to US Healthworks in [redacted] [redacted] said that if he had not known that it was [redacted] he could not have recognized him because of the condition of his face.

[redacted] said that on Saturday, [redacted] eye was swollen shut and he had lumps all over his head and face. Both [redacted] and [redacted] exhibited a similar level of physical injury on Saturday, December 11th.

[redacted] said that he did not know Senior Deputy [redacted] so he was unable to say whether or not he was in the area during the fight.

[redacted] met [redacted] at the party, but he did not hear her announce that there was a fight outside when he was coming back from the restroom.

**IAB Note:** [redacted] **said that she passed** [redacted] **at the front entrance when she said that there was a fight outside. Refer to her transcripts.**

[redacted] said that Visiting passes are delayed in housing areas for various legitimate business reasons, and it was not a case of 3000 purposely delaying passes. Passes are delayed by fights, pill call, printers going off line, and various other interruptions.

[redacted] said that [redacted] and [redacted] were both at the jail the following day, dealing with the aftermath of the fight. [redacted] directed [redacted] to take [redacted] and [redacted] to US Healthworks with [redacted] said that it was a scene at [redacted] house; [redacted] and [redacted] were very upset and crying. [redacted] said that the day after the party, he couldn't believe it was the same incident that resulted in the injuries that he saw. [redacted] had a liquid discharge coming from his eye because of the swelling. [redacted] said that he's seen deputies beat up and even shot before, but this was very different because it was at the hands of co-workers, not criminals.

[redacted] said that [redacted] typed out the forms in advance, before they went to [redacted] and [redacted] houses.

**IAB Note:** [redacted] **stated during his IAB interview that he typed out the paperwork in advance, before they left the jail to pick up** [redacted] **and** [redacted] **Refer to** [redacted] **transcripts.**

[redacted] said that on Sunday, December 12th, he worked his shift, waited for traffic to die down, and told [redacted] that he was going to go check on [redacted] and [redacted] said that he took [redacted] and [redacted] to In-and-Out Burger because he was starving and wanted to get something to eat. [redacted] said it was very upsetting to see their injuries. He couldn't buy them a hamburger because they couldn't chew (IAB transcript, page 30). He had a hard time looking at their faces. He wanted them both to know that the Department cared about what happened and to explain the investigative process, including the administrative investigative

process to them. [redacted] said that if he had been in a similar situation, he would have wanted someone to explain the process to him.

**IAB Note:** [redacted] **became visibly moved while talking about the physical appearance of** [redacted] **and** [redacted] **and their injuries, as noted in the transcript by the investigators.**

[redacted] told [redacted] and [redacted] that if they needed anything, to let him know, that the Department would not leave them hanging (IAB transcript, page 31). [redacted] said that his impression was that [redacted] and [redacted] seemed very confused by what was happening, overwhelmed by the situation, and very emotional.

[redacted] said that this is a lesson learned that never, ever should happen again in law enforcement.

Witness [redacted] was the Men's Central Jail Operations Lieutenant at the time of the incident (Witness [redacted] is now the MCJ Unit Commander). Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 48)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] was on the upper landing outside the "Cannoneer Room" smoking a cigar with other employees and their spouses. Witness [redacted] had his back to the railing and could not see the middle landing. As he was talking to Captain [redacted] he saw Captain [redacted] take off running down the stairwell to the middle landing. Witness [redacted] turned and saw several deputies fighting on the middle landing.

Witness [redacted] started down the stairs and thought there were enough people already trying to break up the fight. Witness [redacted] went down a few steps and then turned to face up the stairway to keep any other deputy personnel from getting involved. Prior to turning away, Witness [redacted] saw Deputy [redacted] throwing repeated punches but could not tell who or where exactly they were landing. Witness [redacted] also saw Deputy [redacted] on his knees covering his head with his hands and arms.

IAB investigators conducted a follow-up interview regarding Witness [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

Witness [redacted] statement and description of the incident during this interview was essentially the same as he provided to ICIB investigators.

Captain [redacted] stated that when he learned that a fight was occurring, he quickly assessed that there were already several people on the platform attempting to separate the involved parties. Captain [redacted] felt that there were enough people on the landing involved in breaking up the fight. Therefore, he did not go to the middle platform and get involved. Captain [redacted] attempted to keep other personnel from going down to the middle landing.

Captain [redacted] reiterated that he did not have contact with Montebello police officers. Captain Harris had not been promoted to Captain at the time of the incident and Captain [redacted] was the ranking officer at the scene. Captain [redacted] deferred to Captain [redacted] in the decisions that were made that night at the incident.

Witness [redacted] is assigned to Men's Central Jail / 3000 floor. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 106)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding, Deputy [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

Witness [redacted] relayed essentially the same as was stated in his ICIB interview. Witness [redacted] gave specific details about a very limited portion of the incident. His interview was laden with answers such as "I don't recall... I didn't see... I don't remember," requiring several of the questions to be repeated because he would not answer the questions directly.

Witness [redacted] stated that he was on the top landing when the fight started.

**IAB Note: Witness [redacted] said Deputy [redacted] was on the middle landing.**

Witness [redacted] said he observed an unknown male subject (He later learned was Deputy [redacted] strike Subject Delgado in the face. Witness [redacted] said he did not know who Deputy [redacted] was and had never seen him before.

**IAB Note: Witness [redacted] gave specifics details of his previous contacts with Deputy [redacted].**

Witness [redacted] paused for approximately 10 seconds and then went down the stairs to intervene.

Witness [redacted] stated that upon getting to the middle landing Subject Delgado was just standing there so he immediately "bear hugged" Subject Delgado, and moved him several feet.

Witness [redacted] was asked if he thought an unknown person had assaulted a deputy (Subject Delgado being the deputy that was assaulted) and he replied yes. Witness [redacted] was asked if he took any action to identify the assailant or take him into custody. Witness [redacted] said he did not, because his priority was to get everyone downstairs and off the landing.

Witness [redacted] said he then saw Subject [redacted] and he pushed him telling Subject [redacted] to leave. Witness [redacted] saw Deputy [redacted] holding Subject Andrade in what he described as a "headlock." Witness [redacted] attempted to break Deputy [redacted]' hold and after the second attempt he was able to free Subject Andrade. After pulling Deputy [redacted] headlock hold off of Subject Andrade, Witness [redacted] said Deputy [redacted] fell to the ground onto his knees. Witness [redacted] said he did not see Deputy [redacted] after that. Witness [redacted] did not see any other deputies attempt to break-up Deputy [redacted] and Subject Andrade.

**IAB Note: Deputy [redacted] and Deputy [redacted] both stated in their interviews that they attempted to free Subject Andrade from a headlock by Deputy [redacted]**

Witness [redacted] either could not remember or did not know what any other persons on the landing were doing. Witness [redacted] said he did not see any punches or kicks other than the initial strike by Deputy [redacted]

Witness [redacted] is assigned to Men's Central Jail/3000 floor. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 90)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] attended the party on December 10, 2010. Prior to going to the party, a group of deputies, including Witness [redacted] met at Deputy [redacted] [redacted] residence. While at Deputy [redacted] home, Witness [redacted] stated that he drank whiskey. He said he does not know what the other deputies drank. He said they all left Deputy [redacted] home at the same time, and drove to the party at the "Quiet Cannon." He said he was in Deputy [redacted] vehicle, with Deputies [redacted] and [redacted]

Witness [redacted] said that while at the party he drank approximately three or four alcoholic beverages. He said he spent approximately eighty dollars on alcoholic beverages during the party. He said he bought drinks for himself, and for others.

Witness [redacted] said he eventually went outside on the upper landing, and began speaking to Deputy [redacted] and Deputy [redacted] He said he also saw Deputy [redacted] standing on the upper landing, and he appeared intoxicated. He said that moments later he heard a commotion coming from the stairs. He said he looked downstairs and saw a group of people "holding on to each other." Witness [redacted] said he ran down the stairs, and saw Deputy Delgado bleeding from his nose and mouth.

Witness [redacted] said he took hold of Deputy Delgado and pulled him away from the crowd of people. He said Deputy Delgado told him, "I'm okay, I'm cool," but he seemed "out of it." He said he then heard people shouting, "Go home, go home." Witness [redacted] said he did not actually witness the fight, and did not see anyone punch or get punched.

Witness [redacted] said he saw that Deputies Delgado, [redacted] and [redacted] had sustained injuries. He said that Deputy [redacted] told him, "I'm going to talk to you tomorrow," and he took a step forward. He said that Deputy [redacted] then took a hold of him. Witness [redacted] said people started to leave, and he stayed behind making sure everyone left.

Witness [redacted] is a lieutenant assigned to Men's central Jail as a watch commander. Witness [redacted] was interviewed by ICIB investigators two times, regarding his actions and observations during this incident. Both interviews were audio recorded and a copy of the verbatim transcripts, are included in this investigation. For a summary of Witness [redacted] interviews with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 86)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] arrived at the Christmas party at 1900 hours with his [redacted] He noticed the atmosphere was festive and did not sense any animosity amongst the personnel during the party.

Witness [redacted] was at the top landing outside the banquet entrance/exit door with his [redacted] Captains [redacted] and [redacted] Sergeant [redacted] Deputy [redacted] and possibly Sgt. [redacted], when the fight occurred. Witness [redacted] said he had a conversation with Deputy [redacted] prior to the fight and noticed had been drinking based on him "slurring some of his words." Witness [redacted] said he had his back to the middle landing, when he heard loud arguing coming from that area (approximately 20 people - all men). He turned and saw Captain [redacted] go toward the landing, and asked what was going on. He heard, "It's a fight. It's a fight." He saw one big guy (later identified as Deputy Delgado) throwing punches. He said Captain [redacted] was right in the middle of the fight trying to break it up.

Witness [redacted] assumed it was the people from another private party fighting with deputies. He ran down to the fight, and saw Deputy Delgado had punched someone in the face (later identified as Deputy [redacted] Witness [redacted] grabbed Deputy Delgado's arm and told him to knock it off. Both he and Captain [redacted] were holding Deputy Delgado because he was "the aggressor." Witness [redacted] said Deputy Delgado looked at him and said he saw rage in his face. "He was insane. He just wanted to kill this guy."

Witness [redacted] asked Sergeant [redacted] for some assistance. Sergeant [redacted] took Deputy Delgado and pushed him to the ground, as Witness [redacted] grabbed Captain [redacted] and brought him back to the upper landing. Witness [redacted] said he saw three separate people throw punches and connect, and did not see anyone else getting hit but Deputy [redacted] He did not see where Deputy [redacted] went after the fight.

Witness [redacted] said after the fight, he talked with Captains [redacted] and [redacted] for approximately 10-15 minutes to make sure everything was okay, prior to leaving with his wife.

Witness [redacted] **(2ND Interview)** was re-interviewed on December 27, 2010, by ICIB Sergeant Tobin and [redacted]. The interview was digitally audio recorded.

During this interview Witness [redacted] was shown a diagram, which depicted the area where the incident occurred. He pointed out where his location was, and also Deputy [redacted], Deputy Delgado's, and Captain [redacted].

Witness [redacted] reiterated that he saw Deputy Delgado assaulting Deputy [redacted] He said it appeared that Deputy [redacted] was attempting to take hold of Deputy Delgado, in order to stop his assault. He said he heard two unidentified people encouraging Delgado to continue his assault on [redacted]

Witness [redacted] said that he was positioned in front of Deputy [redacted] He said there were several people on the landing. He said Captain [redacted] was always to his right, and he never saw Captain [redacted]

Witness [redacted] is assigned to Men's Central Jail/3000 floor. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 76)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] attended the party on December 10, 2010. He said he drank two or three "Jack and Cokes," during the course of the party. He arrived to the party with Deputies Delgado, [redacted] and Andrade. Prior to going to the party, a group of deputies, including Witness [redacted] met at Deputy [redacted] residence. He said that Deputies [redacted] and [redacted] were present at Deputy [redacted] home before they went to the "Quiet Cannon." While at Deputy [redacted] home they drank maybe one beer each.

Witness [redacted] said they arrived to the party after dinner had been already served. He said that during the party everyone was getting along with no problems. He said that several people from the party became involved in an argument with people attending another party nearby.

The argument occurred outside, between both banquet rooms. He said that the argument ended quickly and he went back inside the banquet room. A short time later he heard several people shouting, and he heard one person scream, "There's a fight, deputies are fighting." He said he then walked back outside and saw a "scuffle" in the middle of the stairway. He said he saw Deputy Delgado bleeding from his nose and mouth. Witness [redacted] said he took hold of Deputy Delgado, but heard someone shout out, "Let him go, let him go." Witness [redacted] said he did not know what was occurring, so he let go of Deputy Delgado. He said he then saw Deputy [redacted] "screaming." He said he approached her and took hold of her. He said he then began asking her what was going on. Witness [redacted] said she told him, "Let me go," and she pushed his hands away. He said another person then took hold of her.

Witness [redacted] said he did not actually witness the fight, and is not sure who was involved. He said that besides Deputy Delgado, he also observed that Deputy [redacted] appeared to be injured. He said it appeared that Deputy [redacted] had sustained an injury to his left eye. Witness [redacted] said that when he took hold of Deputy Delgado, he (Delgado) did not appear to be intoxicated. He said he heard Deputy Delgado say, "I'm sorry sir, but I got hit, I got hit." He said Deputy Delgado was talking to Captain [redacted]

Witness [redacted] said he saw the Montebello Police Department arrive on scene. He said he heard an officer tell them that they could not leave, but a Montebello Sergeant told them to leave. He said he left with the same two people he arrived with, one of which was Deputy Delgado.

Witness [redacted] said that Deputy Delgado later told him that he had been "sucker punched" by Deputy [redacted] He said that he was told that an argument had ensued between Deputy Vasquez, and deputies from the 3000 floor. He said he was told that Deputy [redacted] had been telling the deputies that they were "lazy." He said he was told that Deputy [redacted] had "thrown the first punch."

Witness [redacted] said that after they left the party they all went back to Deputy [redacted] home, where he was told what had occurred.

Witness [redacted] is assigned to Men's Central Jail / 3000 floor. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 93).** For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding, Deputy [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

Deputy [redacted] was asked to provide additional information regarding his involvement the night of December 10, 2010, while attending the Men's Central Jail Christmas party. He explained he kept mostly to himself as he is new to the Sheriff's Department. He was on the upper landing while people were socializing and smoking cigars. He was standing outside of the Cannoneer room next to the door **(Refer to copy of photograph of upper landing, IAB interview picture #1.)** Deputy [redacted] said he saw a male, white, exit the Cannoneer Room and get into a verbal argument with a "very drunk male Asian," from the VIP Room. After a brief time, several males from the VIP party escorted the drunken male back into the VIP party.

IAB Note: **Deputy [redacted] said he heard a female had her buttocks groped by a male earlier in the evening. He was unsure which party the involved were attending, but heard the female might have been a deputy's wife (It was later confirmed, through witness' statements, that Deputy [redacted] had been involved in the "buttocks" groping).**

Deputy [redacted] said he continued standing on the upper landing after the verbal argument ended, when he heard an unidentified male voice yell out, "Oh Shit, they're fighting." Deputy [redacted] said, "I saw almost everybody run downstairs. The only people that were left behind were some females." When he reached the middle landing, **(Refer to copy of photograph of middle landing, IAB interview picture #2)** he saw "bodies moving back and forth, people being shoved back and forth."

Once on the middle landing he saw Captain [redacted] in the middle of all the bodies. Deputy [redacted] said he moved over to the railing in front of the windows of the VIP room and observed, "Deputy Andrade, he was locked with another white guy, a tall white guy with like a tan colored shirt, he was bald," **(later positively identified as Deputy [redacted] IAB interview picture #3.)** Deputy [redacted] said Deputy Andrade had both his locked out arms holding Deputy [redacted] shoulders, and Deputy [redacted] had his locked out arms holding Deputy Andrade's shoulders, and they were pushing each other back and forth."

Deputy [redacted] said he "reached over their arms and held both of them by their forearms and told them to stop fighting, what are you guys doing?" Deputy [redacted] said he was pushed out of the way, almost losing his footing, causing him to take two steps down the stairs toward the bottom landing. Deputy [redacted] said he went back to the middle landing, but no longer saw Deputy Andrade. He saw Deputy [redacted] on his knees with his hands over his head. He tapped him on the shoulder and told him he was there to help, and offered to help Deputy [redacted] up. Deputy [redacted] said Deputy [redacted] told him, "No, leave me alone. Get the fuck out of here, leave me alone." Deputy [redacted] said he walked down to the bottom landing to wait for some of his partners, make sure the fight was over, and would offer to give anyone that needed it a ride home.

He saw Deputies [redacted] and [redacted] walking down the stairs toward him on the lower landing. A short time later Sergeant [redacted] came to the bottom landing, called everyone over to him and chastised the deputies regarding their behavior **(Refer to copy of**

**photograph of bottom landing IAB interview, picture #4.**) At that time Deputy [redacted] started walking toward the group with Deputy [redacted] when he stopped and said, "That's those guys from 3000, I'm outta here." **(Deputy [redacted] identified Deputy [redacted] from a photograph shown during his IAB interview, picture #5.)**

Deputy [redacted] was asked if he saw any deputies injured and he described Deputy [redacted] had what appeared to be a "red welt under his right eye," when he approached the group with Sergeant [redacted] When questioned if the injury looked serious, he replied, "I'm not a doctor but I, if that would have happened to me, I would have had it checked out."

Witness [redacted] is assigned to Men's Central Jail / Visiting. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 330)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Deputy [redacted] attended the Christmas party arriving at Quiet Cannon sometime between 1930 and 2000 hours. He said he was sitting inside the Cannoneer Room and became bored so he walked outside to the upper landing. Deputy [redacted] saw there were between ten and fifteen people standing on the top landing, and he heard someone shout, "They're fighting!" Deputy [redacted] looked down the stairway landing and saw between ten and twelve people standing on the middle landing, involved in a scuffle. Deputy [redacted] said he assumed deputies were involved in a fight with guests from the other party.

Deputy [redacted] said he went down to the middle landing and saw Captain [redacted] attempting to separate two people involved in a fight. As he got closer, Deputy [redacted] could see Captain [redacted] attempting to pull Deputy Delgado off of another individual. Deputy [redacted] said Captain [redacted] was facing west and was trying to stand between Deputy Delgado and the other individual. Deputy Delgado was attempting to grab the other person on an unspecified part of his body. Deputy [redacted] said the other individual was facing south and was bent forward at the waist, covering his head with his forearms. He told me he eventually recognized the other individual as Deputy [redacted]

Deputy [redacted] said he attempted to stop Deputy Delgado from assaulting Deputy [redacted] by holding his (Deputy Delgado's) body against the west handrail. Deputy [redacted] told Deputy Delgado, "Hey dude, your Captain's trying to tell you to stop fighting!," but Deputy Delgado did not stop. Deputy [redacted] interlocked his arm between Deputy Delgado's arm and body and used leverage to pry him (Deputy Delgado) away from Deputy [redacted] Deputy Delgado turned to Deputy [redacted], shoved him, and yelled, "Get off me...Get off me" then reengaged Deputy [redacted] by grabbing an unknown part of his body.

Deputy [redacted] said he again pried Deputy Delgado away from Deputy [redacted] using the same method as before. Deputy Delgado shoved him three times and yelled, "Get off me. Get off me" again.

Deputy [redacted] said Deputy Delgado's attention was focused on him, which allowed Deputy [redacted] to withdraw. Deputy [redacted] saw Deputy [redacted] walk to the northeast portion of the center landing and he was unaware where Deputy Delgado went immediately following the altercation. Deputy [redacted] did not see anyone else fighting, because he was focused on Deputies Delgado, [redacted] and Captain [redacted]

Deputy [redacted] said Deputy [redacted] was in a defensive posture, bending forward and covering his head, and did not pose a threat to Deputy Delgado. Deputy [redacted] did not see Deputy Perez punch or kick anyone. Witness [redacted] said from what he observed Subject Delgado was the aggressor in the altercation.

The next day, Deputy [redacted] noticed a bruise to his eye but was unaware as to how the injury occurred. Deputy [redacted] said that when he went to work following the weekend of the event, Sergeant [redacted] saw him and asked how he injured his eye. Deputy [redacted] did not have any explanation as to how his eye was injured other than during the altercation.

Deputy [redacted] said he had two "Jack and Coke's" and a shot of tequila over a four-hour time period. Deputy [redacted] said he felt sober and did not feel any impairment. I asked Deputy Womack if he was armed and he told me he possessed his off-duty firearm. Deputy [redacted] did not see Deputy [redacted] consume any alcohol. Deputy [redacted] said he did not see what Deputy [redacted] was drinking, but noticed that he was "buzzed."

**WITNESS INTERVIEWS**
**(The following employee and civilian witnesses were present, and observed some portion of incident)**

**Employee Witness Interviews**

Witness [redacted] is assigned to Men's Central Jail/3000 floor. Witness [redacted] was interviewed regarding the criminal portion of this incident by ICIB personnel, and the interview was audio recorded. For ICIB's summary of Witness [redacted] statement see the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 96).** For the complete and detailed statement refer to the verbatim transcript included in this investigation and/or the digital audio file.

Witness [redacted] said he attended the Christmas party and drove with Deputies [redacted] and [redacted] Witness [redacted] indicated that Deputy [redacted] Deputy [redacted] and himself, went to the wrong door when they arrived and were directed to their party by an employee **(Refer to page 6 of ICIB transcript).**

Witness [redacted] said he was inside when he heard there was a fight going on outside. Witness [redacted] walked out onto the upper landing and noticed approximately 40 people on the stairs and middle landing. Witness [redacted] said he did not see any punches or kicks.

Witness [redacted] is assigned to Men's Central Jail / 6000 Control. Witness [redacted] was interviewed regarding the criminal portion of this incident by ICIB personnel, and the interview was audio recorded. For ICIB's summary of Witness [redacted] statement see the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 102).** For the complete and detailed statement refer to the verbatim transcript included in this investigation and/or the digital audio file.

Witness [redacted] attended the party and after the raffle he went out onto the landing to smoke a cigar. While on the upper landing smoking, Witness [redacted] saw six or seven people fighting on the middle landing. Initially Witness [redacted] thought the fight involved people from the party next door.

Witness [redacted] saw people trying to strike each other but did not see any punches connect with anyone. Witness [redacted] realized that the fight involved deputies and he moved down the stairs to help break it up. Witness [redacted] was told by Senior Deputy [redacted] to go back to the upper landing and not to get involved.

Deputy [redacted] saw the fight had been broken up, and then two individuals tried to re-engage with each other. The two were separated and everyone on the middle landing went down to the street level. After the fight Deputy [redacted] gathered his belongings and left the location.

Witness [redacted] is a sergeant assigned to Twin Towers Correctional Facility / Inmate Services was interviewed regarding the criminal portion of this incident by ICIB personnel, and the interview was audio recorded. For ICIB's summary of Witness [redacted] statement see the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 119).** For the complete and detailed statement refer to the verbatim transcript included in this investigation and/or the digital audio file.

IAB investigators conducted a follow-up interview regarding, Witness [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell her story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

[redacted] is a Sergeant assigned to Inmate Services at Offenders Services Bureau, Correctional Services Division. She attended the Men's Central Jail Christmas Party at the [redacted] with her [redacted] Captain [redacted] was formerly assigned to Men's Central Jail from [redacted].

[redacted] had two glasses of wine while she was at the party. She was unarmed.

[redacted] said that during the party, during the raffle, she noticed one male who seemed particularly intoxicated. He was being held up by his friends and had a beer bottle tipped up as he guzzled.

She took no action in regards to her observation, nor did she point the individual out to any supervisors from Men's Central Jail. She did not know if that person became involved in the fight later in the evening.

[redacted] said that she was on the outside upper landing with [redacted] and [redacted] and [redacted] wives, and others. Some were smoking cigars and others were taking pictures with [redacted] because it was his last day as the facility [redacted] A fight broke out on the middle landing. There were three guys that caught [redacted] attention; one male choking another by the necktie, while the person he was holding was hitting him back. Another man was crouched on the ground with his hands protecting his head while he was being punched and kicked by two guys. The guy on the ground was wearing a white button-front casual shirt and blue jeans. There was another male Hispanic who had his eye "busted." [redacted] identified "[redacted] as one of the parties punching the man with the "busted eye," who was wearing a black short-sleeved shirt. It was [redacted] and another guy versus the male in the short-sleeved black shirt; two against one. [redacted] said that she was in shock. It was something that looked like it was out of a cartoon, to her.

[redacted] said that she later learned that the man crouched on the floor was [redacted] said that she spoke with [redacted] that evening, earlier in the party, because she did not remember him from when she previously was assigned to the facility from [redacted] through [redacted] said she later learned the man with the "busted" eye was [redacted]

[redacted] said that [redacted] ran down to the middle landing to break up the fight, his cigar still in his mouth, along with several other people, but the fighting parties reached over them. [redacted] said that she became focused on trying to get [redacted] to come back up the landing because she was worried that he would get hurt. [redacted] was yelling for the parties to stop fighting, but they did not comply.

[redacted] characterized what she saw as all the parties fighting with each other.

The parties were momentarily pulled apart, but tempers flared and the fight was back on. A female was punched during the fight, but [redacted] did not see it. She heard about the female being punched later on. [redacted] said that she went back towards the [redacted] Room and told [redacted] to go help, that there was a fight. She got inside the room and told [redacted] that there was a fight outside and he needed to go help. [redacted] seemed to be in shock for a moment, before he went outside.

[redacted] said she did not interject herself into the fight because it was men fighting and she was dressed in her party dress, and that the guys had been drinking alcohol. [redacted] said that she had no intention of getting into the fight, to break it up.

[redacted] said that she didn't think that any one particular supervisor had a handle on the situation, which she characterized as total "chaos."

[redacted] said that she got her sweater and her prize that she won in the raffle from inside the banquet room because she just wanted to leave.

She did not leave. She stayed inside the banquet room and the situation settled down outside. She did not speak with the responding Montebello Police Department officers. [redacted] said that she saw the helicopter overheard and two police cars pull up, but did not see any officers get out of the cars.

[redacted] said that she did not ask any of the parties if they needed medical attention or inquire about how they were going to get home.

[redacted] did not think that this incident could have been an incident of Workplace Violence. She speculated that it was a matter of "machismo" and that if the guys who came alone came with dates instead, things wouldn't have gotten out of hand. The involved parties would have behaved better.

[redacted] said that she did not remember seeing [redacted] after the incident, aside from being with him at the top of the landing when the fight broke out, before she went back inside the [redacted] Room.

[redacted] said that she went down the stairs after the fight was over. She stayed another hour to hour and half about forty minutes of which she sat in [redacted] car with her head back, eyes closed, listening to KNX on the car radio. [redacted] said that she got up for work that morning at 0330 hours and she was very tired by the time they left the party.

Witness [redacted] is a bonus deputy assigned to Men's Central Jail / Jail Liaison. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 72)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] said that he did not witness the actual altercation, but he did see injured deputies afterward. Witness [redacted] was leaving the party and observed Deputy [redacted] to have a swollen lip. Witness [redacted] also saw Deputy [redacted] and Deputy [redacted] Witness [redacted] said Deputy [redacted] had been "lumped up" and he could tell that Deputy [redacted] had been drinking and was "[redacted]" Deputy [redacted] told Witness [redacted] that he had been "sucker punched" **(Refer to transcript page 5).**

Witness [redacted] saw that Deputy [redacted] eye was starting to swell up pretty badly. Witness [redacted] said he inquired to see if they were okay and how they were going to get home.

Witness [redacted] said he saw Montebello PD arrive. He heard Captain [redacted] tell a Montebello PD officer that "Everything's okay," that it was just deputies and no reason for them to be there **(Refer to transcript page 6)**. Witness [redacted] said a Montebello police officer contacted Deputy [redacted] and asked him if he needed paramedics and Deputy [redacted] told the officer "no."

Witness [redacted] indicated that everyone began dispersing in different directions and he left.

Witness [redacted] is a custody assistant assigned to Men's Central Jail / 3000 Floor Relief. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 71)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] and his [redacted] Witness [redacted] were part of the organizers for the MCJ party. After dancing with his [redacted] Witness [redacted] and his wife were sitting at their table when the liaison for the Quiet Cannon came to their table, telling them of a fight. The staff member led them outside of their hall. Looking down a staircase, Witness [redacted] saw numerous people separating a group of people. He said he did not see a fight, only deputies being separated. Witness [redacted] only recognized Deputy Delgado, who was pulled back by three unknown deputies. He saw Deputy [redacted] being pulled back by two unknown deputies and she was yelling out, "That's fucked up. That's wrong."

Witness [redacted] saw Deputy [redacted] standing in the crowd and asked him what happened. He then saw his [redacted] (Witness [redacted] Witness [redacted] run down the stairs, so he followed in an attempt to stop her. He did not recognize any other familiar faces. He said there was another hall adjacent to theirs, and he believes some of the on-lookers were from that party. He estimated 20-25 total people were in and around the incident.

Witness [redacted] did not witness or hear of any disputes or incidents before or after dinner leading up to the fight, nor did he know of any disputes or tensions between 3000 floor and Visiting.

Witness [redacted] is a deputy assigned to Men's Central Jail / Operations. Witness [redacted] was interviewed by ICIB investigators regarding her actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 73)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] attended the party with her [redacted] Witness [redacted] was sitting at a table when a Quiet Cannon employee advised her there was a fight outside. Witness [redacted] went outside (top landing) and saw a group of people pushing and shoving on the middle landing. Witness [redacted] started to go down the stairs to the middle landing and she saw the group begin to separate and go down the stairs to the street level.

While standing on the middle landing, Witness [redacted] saw Deputy Delgado was being pushed away. Witness [redacted] also saw Deputy [redacted] being held up by three deputies and she assumed Deputy [redacted] was drunk.

Witness [redacted] then went back upstairs to the Cannoneer Room. A short time later, Deputy [redacted] returned for his raffle prize and she saw Deputy [redacted] and Deputy [redacted]. She noticed Deputy [redacted] left eye was injured.

Witness [redacted] is a bonus deputy assigned to Training Division / Academy Staff Instructor. Witness [redacted] was interviewed by ICIB investigators regarding her actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 96)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] was inside the Cannoneer Room when an unknown male came in and said there is a fight going on outside. Witness [redacted] said she went outside and saw a fight down the stairs on the middle landing. Witness [redacted] saw what appeared to be a male, wearing a white shirt, with blood on his shirt moving backwards. The same male then moved forward, aggressively toward another male that was wearing a black shirt. Witness [redacted] said what she saw was more of a pushing match with several others trying to separate the individuals. Witness [redacted] said she does not know any of the parties involved.

Witness [redacted] is a Custody Assistant assigned to Men's Central Jail. Witness [redacted] was interviewed by ICIB investigators regarding her actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 116)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file

Witness [redacted] was on the top landing outside of the banquet room smoking with several people, including Deputy [redacted] when she heard a commotion below her. [redacted] heard a fight and turned to see several people fighting on the middle landing of the stairwell.

[redacted] saw several punches being thrown by numerous people. [redacted] saw Captain [redacted] go down the stairs and attempt to break up the fight. [redacted] said she saw a male Hispanic, which she described as crouched down on his knees, hunched over trying to cover his head as several people continued to throw punches at him. [redacted] was unable to say who was throwing the punches; however, she saw several males punching. [redacted] stated that she saw at least one kick to the head area of the person on the ground, but could not identify who actually kicked.

[redacted] described one of the subjects punching as a tall, muscular individual. [redacted] saw Captain [redacted] holding this individual back.

The fight was broken up on the middle landing and people started moving down the stairs toward the ground level. Once at the bottom of the stairs, the people who had broken up the fight started coming back up stairs. [redacted] said another fight broke out, which consisted of seven or eight people.

Witness [redacted] [redacted] is a deputy assigned to Men's Central Jail/Clinic. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 117)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file

Deputy [redacted] said he arrived at the Christmas party after 1900 hours. He said he was at the top of the stairs talking with some co-workers when he heard a commotion. He turned around and saw 12 to 15 people involved in a fight. He said it looked like they were climbing over each other to get in the middle of the actual circle. Deputy [redacted] said he ran to the commotion and tried to assist in breaking it up. He grabbed Deputy [redacted] by his arms and pulled him from the group. He said Deputy [redacted] responded by telling him to get off of him. Deputy [redacted] said Senior Deputy [redacted] arrived and told him to go back to the top of the stairs. Deputy [redacted] said he did not see anyone throw any punches, but saw that Deputy Delgado had blood coming from his lip.

Witness [redacted] is a deputy assigned to Men's Central Jail / 3000 floor. Deputy [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 98)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding, Deputy [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

[redacted] reiterated essentially the same information he relayed during his ICIB interview. When he was asked if he knew the deputies who were relieved of duty, he said he did. He said that he knows most of them by first and last name. However, some of them only by last name, and or sight.

He said he was in the "Cannoneer Room' when the fight broke out. He was conversing with someone when he overheard a male voice say that deputies were fighting.

He did not know who made the statement or if it was department employee or not. He said that he went out to help, and passed several people who were looking over the railing. He could not tell who they were, as he only saw the backs of their heads. He saw people on the middle landing, but no fighting was happening. By the time he got down to the bottom of the stairs, the fight was over.

Deputy [redacted] was asked if he had directed Deputy [redacted] away from the Montebello Police Officers because she was being disruptive to them, he said, "Yes." When asked if he saw Deputy [redacted] with any injuries he said, "No." When asked if he had seen her get hit, he said, "No." He was asked if Deputy [redacted] had told him she had been hit, he said, "No." Deputy [redacted] was asked if when he was escorting Deputy [redacted] if they ever talked about anything, he said, "No, well . . . I just said let's go back I need to go pick up my PS3, I asked her how she was doing I think and I mean that was the extent of it. It was nothing."

When he was asked if she was upset or calm, he stated, "Actually when I said, I mentioned something about the PS3 and me winning and I want to go get it make sure no one takes it, she smiled so she, I guess she was fine after that. I mean that would be my impression."

**IAB Note: Deputy [redacted] ICIB and IAB statements contradict what was told by Deputy [redacted] and others. Deputy [redacted] stated that Deputy [redacted] was close, within 2-3 feet, of Deputy Andrade and herself when Deputy Andrade struck her in the face. As soon as Deputy [redacted] was punched, Deputy [redacted] immediately walked over and grabbed her by shoulder and pulled her away. Others said that she was visibly upset and crying.**

Deputy [redacted] was asked if he spoke to any of the officers from Montebello P.D. He said he did not.

Deputy [redacted] was asked if he gave Deputy [redacted] a ride home. He said he did. When asked why, he said that Deputy [redacted] "You know he obviously had had a couple drinks."

When asked about if they talked about the incident on the way home, he said that they both asked each other what happened. Neither of them knew what took place. Deputy [redacted] only saw the injuries to Deputy [redacted] and Subject Delgado.

Witness [redacted] is a deputy assigned to Men's Central Jail/3000 Floor. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 91)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Deputy [redacted] said that prior to going to the Christmas party, several deputies met at Deputy [redacted] house. When asked who was at the house he stated, "Deputies [redacted], Delgado, Andrade, [redacted] and myself." When asked if he had been drinking, he said he had two mixed drinks. [redacted] said he car pooled with Deputies [redacted] and [redacted] and they went to the party.

[redacted] arrived at the party and was being social. [redacted] recalled speaking with Deputy [redacted] When asked if he had seen Deputy Witness [redacted] drinking, he said he did. When asked if he noticed anything about him, he said he was "pretty buzzed." When questioned about where he was outside the banquet room, he said he was on the upper landing. He was asked how many people were outside the banquet rooms. He said that it was "pretty crowded, with approximately 30 people.

**IAB NOTE: There were two parties taking place. Both banquet rooms share the landing as a "Smoking Area."**

[redacted] could not recall everybody he spoke to on the landing, but did recall talking with [redacted] and [redacted] said he thought he saw Captains [redacted] and [redacted] were on the upper landing. When asked if Deputy Delgado was there, he stated, "You know what sir, I can't recall seeing him up there." When asked if he saw Deputy [redacted] up there he stated, "I can't recall seeing him up there." When asked if he saw Sergeant [redacted] he did not recall seeing him.

Deputy [redacted] was asked what took place on the middle landing. He said, he was not sure when it started or how it started, but was on the upper landing. When asked what he saw, he stated, "When everybody started you know, saying, hey you know there's something going on down there. I was just you know, a lot of people down on the middle landing and it just seemed like a big crowd and I don't remember seeing any punches being thrown…"

[redacted] said he remembered seeing Deputy Delgado with a bloody lip and Deputy [redacted] on the floor with his forearms on the floor and on his knees."

When he was asked what Deputy Delgado was doing he stated," When I saw him, I mean it was, there were a lot of people. I mean like I said, I was all the way up here. I never went, I never went down. I started to make my way down when everybody was already being separated. I took a couple steps down, came back up and other than that, I didn't see anyone throwing any punches. I can't recall anybody who was being held back or –." When he was asked what the group of people on the middle landing did, he said they were dispersing in different directions. When Deputy [redacted] was questioned further regarding details of the incident, he gave very non specific answers. He was asked who he remembered being on the middle landing. He named Deputies Delgado, Witness [redacted] Witness [redacted] and Captain [redacted]

When asked about whom he talked with and what was discussed, he said that he talked with Sergeant [redacted] When asked what they discussed he stated, "You could tell he [Sergeant [redacted] was emotionally upset.

He didn't know exactly what happened either. Like all of us, we were trying to put all the pieces to the puzzle together and he was just talking to us, that he didn't know what happened." When asked who was involved in the conversation, he said that Deputies [redacted] and [redacted] and "a group of guys." He further stated, "We were all in that circle, what happened? Sergeant [redacted] was talking to us. We were just listening."

When asked if he spoke to Deputy [redacted] he said he did. This occurred when they were driving home. When asked what they discussed he stated, "He was asking me what happened."

**IAB Note:** **Deputy [redacted] was with Deputy [redacted] the entre night except when [redacted] went down to the middle landing.**

Deputy [redacted] also said that he spoke with C.A. [redacted] When asked what they discussed, he stated, "At that point I was talking to C.A. [redacted] and asking her what just happened and like I said you know, we're looking around, whispers, people talking."

Deputy [redacted] remembers seeing the Montebello Police arrive at the location, but he did not speak with any of the officers, nor did he hear anything that was taking place.

Deputy [redacted] was asked if there was any type of rivalry between the floors, or old side and new side at Central Jail, he said, "No."

Deputy [redacted] said that he knows all of the deputies that are relieved of duty; however, nothing about the incident has been discussed.

Witness [redacted] is a deputy assigned to Men's Central Jail / 7000 Floor. Deputy [redacted] was interviewed regarding the criminal portion of this incident by ICIB personnel, and the interview was audio recorded. For ICIB's summary of Witness [redacted] statement see the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 103).** For the complete and detailed statement refer to the verbatim transcript included in this investigation and/or the digital audio file.

Witness [redacted] attended the party with his [redacted] Witness [redacted] was standing at top landing, smoking cigar when the fight occurred. Witness [redacted] saw the fight and saw Deputy [redacted] getting hit several times by several different people (NFD).

Witness [redacted] said he did not get involved in the fight or trying to break it up. He estimated the fight lasted approximately one minute.

**IAB Note:** **Witness [redacted] said the he was involved in a conversation prior to the fight with a guest from another party (VIP Room). Witness [redacted] said a male grabbed his [redacted] butt while he was smoking cigar outside. Witness [redacted] said he confronted the individual**

**calmly. Captain [redacted] was present at some point, along with some other deputies. There were no problems with this incident.**

## CIVILIAN WITNESS INTERVIEWS

Witness [redacted] attended another party in the "VIP Room" adjacent to the MCJ party. Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 126)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] was at the location attending his job's Christmas party. As Witness [redacted] was leaving he went down the stairwell and said that as he passed the middle landing he saw approximately eight or nine people standing there. He noticed a "bad vibe... like a little argument" (Page 2). As Witness [redacted] continued to walk he went down some stairs and he heard "fight."

Witness [redacted] said he looked and saw "some guy getting beat on his head." (Page 3). Witness [redacted] said he also saw an older white guy (Victim) getting kneed in the head and face area by a Hispanic male (Suspect). According to Witness [redacted] the victim was on his knees trying to cover himself and the suspect was standing with his knees slightly bent, holding onto the victim's shoulder and back area while using his right knee to strike the victim approximately three times.

Witness [redacted] saw injuries to both parties after the altercation was stopped. The left side of the victim's face was red and swollen with a little bit of blood. The suspect's face looked like he had a swollen cheek.

Witness [redacted] is an employee at Quiet Cannon. Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 63)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] said that while conducting his duties he saw a group of people fighting on the staircase of the location. He said he did not see anyone's face, but saw several people punching each other. He said that several other people were trying to stop the fight. Witness [redacted] said he immediately went back inside and announced that the party was over.

Witness [redacted] attended another party in the "VIP Room" adjacent to the MCJ party. Witness [redacted] was interviewed by ICIB investigators regarding this incident.

This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 128)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] attended a party in the "VIP Room." While at the party she saw a fight between 12-15 people on the middle landing of the stairway. Witness [redacted] saw two fights going on at the same time, one on each side of the landing. One fight had six or seven people involved and the other fight had four or five people involved.

Witness [redacted] attended another party in the "VIP Room" adjacent to the MCJ party. Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 127)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] was at the location attending her job's Christmas party. Witness [redacted] stated that as she was leaving the location she passed the middle landing on the stairway. A short time after passing the landing she noticed there was a fight on the landing. Witness [redacted] saw approximately 10 people fighting. She described her observations as three suspects punching one person, who she described as tall, male white, with a shaved head. She observed blood on the victim's nose and his face was swollen on, what she remembers, his right side.

During the incident Witness [redacted] saw a short female Hispanic try to break up the fight and heard the Hispanic female say what she heard as, "Stop.. Don't fight... he's drinking.. Don't pay attention..." (Page 6). Witness [redacted] saw someone push this Hispanic female. Witness [redacted] could not identify any of the suspects. She said she left because she was nervous and the fight was getting bigger.

Witness [redacted] attended another party in the "VIP Room" adjacent to the MCJ party. Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 130)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] said she attended a party in the 'VIP Room." While at the party Witness [redacted] saw two individuals fighting on the middle landing of the staircase. She described one of the individuals as being tall, bald, with a light complexion, and wearing glasses. She could not provide a description for any of the other individuals. Ms. [redacted] said the fight lasted approximately three minutes.

She did not see any weapons being used during the fight. Ms. [redacted] said she could possibly identify some of the persons involved in the fight.

Witness [redacted] is the [redacted] of [redacted] Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 109)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] attended the party with her husband ([redacted] and was standing on the top landing when a fight broke out on the middle landing. Witness [redacted] looked down onto the middle landing and saw that Subject [redacted] (Identified during the photo line-up) had Deputy [redacted] in a headlock. While Subject [redacted] was holding Deputy [redacted] three or four other male subject began to hit Deputy [redacted] in the head and face. Witness [redacted] said it appeared the subjects hitting Deputy [redacted] were intentionally trying to hit him in the face. Witness [redacted] said on the other side of the landing (away from Deputy [redacted]) she saw an unknown male ram another male into a rail. Witness [redacted] looked back to where Deputy [redacted] was and saw that Subject [redacted] still had him in a headlock and was hitting Deputy [redacted] in the head. During the time Subject [redacted] had Deputy [redacted] in a head lock and was hitting him, Subject [redacted] switched hands at least once. Also, while Subject [redacted] held Deputy [redacted] other subjects would come up to Deputy [redacted] hit him, leave, and then come back and hit him again.

Witness [redacted] saw several people trying to break the fight up. At one point during the fight she saw Deputy [redacted] crouched down on his knees trying to protect himself. Witness [redacted] saw some people dragging away "the guy with glasses," saying to him "That's enough." Witness [redacted] said she saw someone kick Deputy [redacted]. Witness [redacted] did not see Deputy [redacted] or the unknown male, who was rammed into the rail, hit anyone.

Witness [redacted] is the [redacted] of [redacted] Witness [redacted] was interviewed by ICIB investigators regarding her actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 97)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] said she was on the top landing when a fight broke out on the middle landing. Witness [redacted] saw one male (NFD) hitting another male (NFD) approximately three or four times. Witness [redacted] said she saw a second fight on the opposite side of the landing. Witness [redacted] said there were a lot of people on the landing and it was hard to distinguish those that were fighting from those that were trying to break them up.

Witness [redacted] **(This witness requested to remain anonymous)** was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 142)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] said was at a party being held in the "VIP Room" on the night of the incident. Witness [redacted] said he noticed a fight on the middle landing of the staircase and observed two male subjects holding a male subject with a black shirt, down. Another male subject was hitting the ma in the black shirt while he was being held. Witness [redacted] observed another male crouched on floor in a fetal position while other males punched and kicked the individual on the ground. Witness [redacted] described the individuals kicking and punching the male on the ground, as three or four white or Hispanic males wearing shirts and ties or suits.

During a follow up interview with Witness [redacted] ICIB showed Witness [redacted] several "six-pack photo line-ups" and got more information. Witness [redacted] identified Deputy [redacted] as a subject that attempted to get into their party in the VIP Room the rear door several times. He also identified Subject [redacted] as one the individuals he saw throwing punches in the fight.

Witness [redacted] attended another party in the "VIP Room" adjacent to the MCJ party. Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 127)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Mr. [redacted] was attending a Christmas party that was taking place in an adjacent banquet hall. When asked if he saw any altercations or fights, he said he did when he was leaving. He was in the parking lot and saw the fight from a distance of approximately 50-60 feet. He said the fight took place on the middle landing of the stairs. There were approximately 12-15 people involved. He said they were "socking" the old bald guy. He described him as wearing a white polo shirt and he was wearing suspenders. When asked what he saw he said,"A bruise of his left eye." He said he could not really see who was hitting the bald guy, but they were white or Hispanic. He said that while the fight was going on, five or six people came to break it up. He also said he saw people fighting on the other side of the stair case.

He was only able to describe one of the individuals involved. He described him as Hispanic, short, with a bloody nose, and wearing a black polo shirt and black pants. He did not stay to see how the fight ended because his friend had arrived to give him a ride home.

He said that both the shorter person he described was fighting, and the other "bald" person, were being hit.

Mr. [redacted] was shown several pictures. He identified the "bald" person in the photo line-up "A." He also said the person in photo line-up "C" resembled the person wearing suspenders, which is the same person as the "bald" person.

He identified a person in photo lineup ""L" as the short Hispanic person with the bloody nose.

Witness [redacted] attended another party in the "VIP Room" adjacent to the MCJ party. Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 130)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] said he was present during the time of the disturbance and saw a portion of the fight that occurred on the staircase. Witness [redacted] looked out the banquet room window and saw approximately four to six people involved in a fight, and several other people were trying to break up the fight. Witness [redacted] said he saw two separate fights. Mr. [redacted] could only describe the individuals involved in the fight as being Caucasian and Hispanic, and wearing suits. He also recalled seeing a male Caucasian dressed in a suit choking and hitting a male Hispanic. He stated the male Caucasian had short black hair.

Witness [redacted] saw a second male Caucasian who was on the ground being kicked by unknown persons. Mr. [redacted] said he could not identify any of the individuals involved in the fight. See the Transcription Book for his interview for further details.

Witness [redacted] attended another party in the "VIP Room" adjacent to the MCJ party. Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 126)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Witness [redacted] said she witnessed the fight from the south facing windows of the "V.I.P. Room." From this vantage point, Ms. [redacted] said she saw three to four individuals fighting. Witness [redacted] described one of the individuals involved in the fight as a male White, wearing a white short sleeved shirt, approximately 5'08" to 5'09", with a bald head. Witness [redacted] could only describe the three other individuals involved in the fight as being male Hispanics, wearing dark clothing, approximately 5'08" to 5'09", with athletic builds. Witness [redacted] saw several other people holding the three male Hispanics back from the male White.

Witness [redacted] saw a second fight at the bottom of the staircase (street level), which involved one of the previous male Hispanics and a female Hispanic. Witness [redacted] saw the male Hispanic push the female Hispanic in the face. Witness [redacted] said she would not be able to identify any of the participants if she saw them again.

Witness [redacted] attended another party in the "VIP Room" adjacent to the MCJ party. Witness [redacted] was interviewed by ICIB investigators regarding this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 130)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

When asked if he saw any altercations or fights he said he did. When asked what he saw, he stated, "There was a bunch of people and they were shoving and pushing each other and it got really aggressive and then they started throwing punches at each other." Mr. [redacted] said there were about eight or nine people involved, and added, "There was actually two people fighting and the others just holding each other back." [redacted] described the two people involved as, "...I know one of them was wearing a white, long sleeved and he was white and the other guy was a little bit smaller than the guy in the white. That's about all, that's all I remember." He could only describe the second person as wearing black. [redacted] said he did not believe he could identify anyone if shown photographs.

Mr. [redacted] was asked if he saw any kneeing, or kicking. He said he did not see that take place. When asked if he saw any weapons involved he said he did not, and that it was basically a fist fight.

Witness [redacted] **(This witness was adamant that she remain anonymous)** was interviewed by ICIB investigators regarding this incident. Witness [redacted] requested that this interview not be recorded. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report, which is located in the criminal case book **(Volume 3, Exhibit A, page 139)**.

[redacted] attended a party at the "VIP Room" and observed a portion of the fight. [redacted] saw several subjects on the middle landing of the staircase fighting. She said she was concerned, because she knew they were police officers and was fearful that guns may be involved. [redacted] said she went into the bathroom and dialed "911" to report the incident.

**MONTEBELLO POLICE OFFICER INTERVIEWS**

Witness [redacted] is a Montebello police officer that responded to the location on the night of the incident. Officer [redacted] was interviewed by ICIB investigators regarding his actions and observations on the night of this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Officer [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 52)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Officer [redacted] responded to a radio call regarding a fight at the location. Officer [redacted] tried to contact several individuals; however, one of the subjects was encouraging the group to leave.

Later in the contact one of the subject's became belligerent and made negative comments to Officer [redacted].

Witness [redacted] is a Montebello police officer that responded to the location on the night of the incident. Officer [redacted] was interviewed by ICIB investigators regarding his actions and observations on the night of this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Officer [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 50)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Officer [redacted] responded to a radio call regarding a fight at the location. Officer [redacted] did not have any contact with department personnel.

Witness [redacted] is a Montebello police officer that responded to the location on the night of the incident. Officer [redacted] was interviewed by ICIB investigators regarding his actions and observations on the night of this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Officer [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 55)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Officer [redacted] responded to a radio call regarding a fight at the location. Officer [redacted] observed some subjects being held back by others and there was some pushing and yelling. Officer [redacted] was contacted by [redacted] who told him the incident involved deputies and that Sheriff Department personnel would handle the incident internally.

Witness [redacted] is a Montebello police officer that responded to the location on the night of the incident. Officer [redacted] was interviewed by ICIB investigators regarding his actions and observations on the night of this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Officer [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 56)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Officer [redacted] responded to a radio call regarding a fight at the location. Officer [redacted] saw a group of males arguing with each other. One subject told him the incident was "mutual combat."

Witness [redacted] is a Montebello police officer that responded to the location on the night of the incident. Officer [redacted] was interviewed by ICIB investigators regarding her actions and observations on the night of this incident.

This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Officer [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 54)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

On February 9, 2011, Montebello Police Officer [redacted] was re-interviewed in a conference room at the Montebello Police Department by Sergeants Laura Haynes and Dinah Grote from the Internal Affairs Bureau, to provide additional information regarding possible identification of employees.

Officer [redacted] was provided a copy of a photograph depicting the area where she was first contacted by the group of males, **(Refer to Transcriptions section, under IAB Interview #2)** as well as photographs of employees to identify who she might have come in contact with. After reviewing several photographs of employees provided to her, Officer [redacted] was unable to positively identify the male that approached her and identified himself as the Captain. She did identify [redacted] as the employee that acknowledged Officer [redacted] as well as the person accompanying the male identifying himself as the Captain.

Witness [redacted] is a Montebello police officer that responded to the location on the night of the incident. Officer [redacted] was interviewed by ICIB investigators regarding his actions and observations on the night of this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Officer [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 51)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Officer [redacted] saw a group of individuals being corralled by another male individual. He did not have any contact with deputy personnel.

Witness [redacted] is a Montebello police officer, and he wrote the initial crime report for this incident. Officer [redacted] was interviewed by ICIB investigators regarding his actions and observations in response to this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Officer [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 57)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

When Deputy [redacted] was interviewed by Officer [redacted], Deputy [redacted] identified several deputies as assaulting him.

> **IAB Note: When Deputy [redacted] was interviewed by ICIB he was did not positively identify any of the subjects.**

Witnesses [redacted], [redacted], and [redacted] are police officers that were working as pilot/observers in the helicopter unit. They did not observe the altercation, or have contact with any personnel. They were interviewed by ICIB investigators regarding their actions and observations of this incident. The interviews were audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of their interviews with ICIB refer to the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 56)**. For their complete and detailed statements refer to the verbatim transcript and/or digital audio file.

**<u>EMPLOYEE WITNESSES</u>**

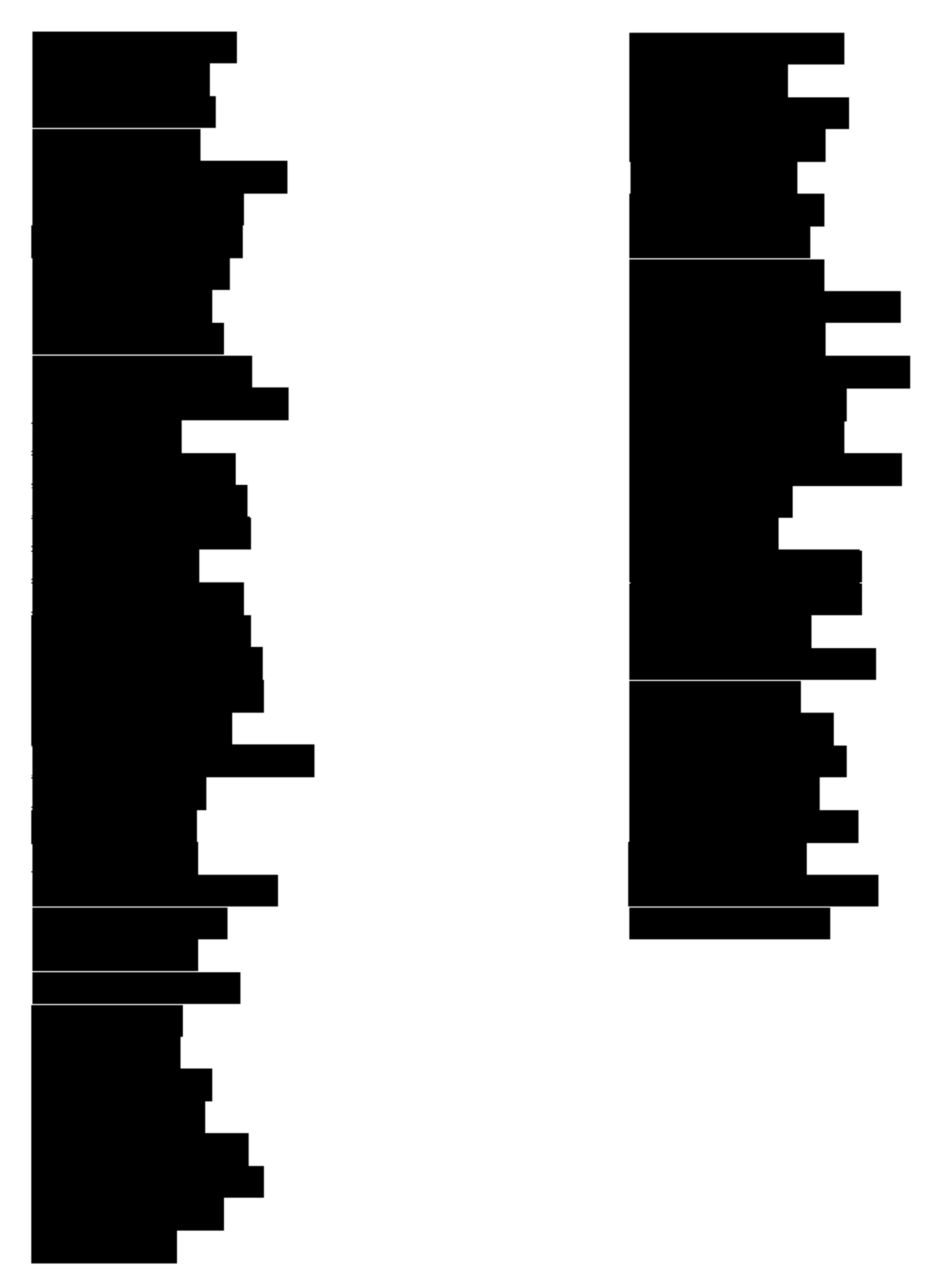
*The following individuals are department employees that either attended the Christmas party or purchased a ticket for the party. These individuals were interviewed by ICIB and the interviews were audio recorded. Those listed here either did not attend the party, left prior to the incident; were present but did not observe the incident; or saw a small portion of the incident but could not add any pertinent information to the investigation, with regard to the assault. For each of their complete and detailed statements refer to the verbatim transcript and/or digital audio file.*

[redacted]

[redacted]

## CIVILIAN WITNESSES

*The following individuals are civilian witnesses that may have been guest at the MCJ party, employees of Quiet Cannon or attended another party. These individuals were interviewed by ICIB and the interviews were audio recorded. Those listed here either were not present during the incident; were present but did not observe the incident; or saw a limited portion of the incident, but could not add any pertinent information to the investigation. For each of their complete and detailed statements refer to the verbatim transcript and/or digital audio file.*



[redacted]

[redacted]

## FOLLOW UP WITH SUPERVISORS

This was a unit Christmas Party and by definition a "workplace environment." Several department supervisors were in attendance at the party. Several Supervisors were still present at the time of the altercation, some involved in breaking it up, and some were present immediately following the altercation.

Throughout the course of the criminal investigation, numerous supervisors were interviewed. Internal Affairs Bureau conducted follow-up interviews to garner additional facts with regard to the actions each of them took, specifically pertaining to the fight, and areas related to the fight. The areas covered are outlined below:

- Supervisor observation and handling of department personnel under the influence.
- Supervisor knowledge of and response to an altercation involving department personnel.
- Supervisor knowledge of department personnel impaired by alcohol and driving.

A chart indicating the actions and statements of supervisor personnel present at the time of the altercation and immediately after was created **(Volume 2, Exhibit K)**

## DEPARTMENT SUPERVISOR WITNESSES

Witness [redacted] was interviewed regarding the criminal portion of this incident by ICIB personnel, and the interview was audio recorded. For ICIB's summary of Witness [redacted] statement see the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 119)**. For the complete and detailed statement refer to the verbatim transcript included in this investigation and/or the digital audio file.

IAB investigators conducted a follow-up interview regarding, Witness [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell her story, but to present ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

[redacted] had two glasses of wine while she was at the party. She was unarmed.

[redacted] said that during the party, during the raffle, she noticed one male who seemed particularly intoxicated. He was being held up by his friends and had a beer bottle tipped up as he guzzled. She did not know who that male was. She took no action in regard to her observation, nor did she point the individual out to any supervisors from Men's Central Jail. She did not know if that person became involved in the fight later in the evening.

[redacted] said she did not interject herself into the fight because it was men fighting and she was dressed in her party dress, and that the guys had been drinking alcohol.

[redacted] said that she had no intention of getting into the fight, to break it up. [redacted] said that she didn't think that any one particular supervisor had a handle on the situation, which she characterized as "total chaos."

[redacted] said that she got her sweater and her prize that she won in the raffle from inside the banquet room because she just wanted to leave. She did not leave, but stayed inside the banquet room until the situation settled down outside. She did not speak with the responding Montebello Police Department officers. [redacted] said that she saw the helicopter overhead and two police cars pull up, but did not see any officers get out of the cars.

[redacted] said that she did not ask any of the parties if they needed medical attention or inquire about how they were going to get home. [redacted] did not think that this incident could have been an incident of Workplace Violence. She speculated that it was a matter of "machismo," and that if the guys who came alone came with dates instead, things wouldn't have gotten out of hand. The involved parties would have behaved better.

Witness [redacted] said that upon learning that deputies were fighting, he immediately responded to the area of the fight and began taking action to stop the fight. Once the fighting was stopped, Witness [redacted] acting as the Unit Commander, weighed the information he had and made decisions based on what he knew at that moment. The management of "Quiet Cannon" was yelling for everyone to leave. Witness [redacted] felt that the management wanted everyone to leave, and he knew who the involved parties were, so he cooperated with Quiet Cannon employees in getting everyone to leave.

Based on what Witness [redacted] knew of this incident and his knowledge of department resources, he determined that the Sheriff's Department was best suited to handle this incident. According to Witness [redacted] Deputy [redacted] and Deputy [redacted] injuries did not appear to be serious. Both Deputy [redacted] and Deputy [redacted] told Witness [redacted] that they did not want any medical treatment, and that they just wanted to go home.

Witness [redacted] felt that notifying units such as IAB and/or ICIB for a roll-out would not have been the best utilization of department personnel and resources. Witness [redacted] also considered the time of night and the fact that calling out other units would have caused dozens of off duty personnel that had been in a party environment, to have to wait around for hours until the teams arrived, which he did not feel was a good decision.

Contemporaneous to the incident, Captain [redacted] called Custody Division Commander Eric Parra to make notification; however, Commander Parra did not answer his phone. Captain [redacted] then sent Commander Parra an email, from his phone, asking the commander to call him "ASAP." When he could not contact Commander Parra, Captain [redacted] called Custody Division Chief Dennis Burns and made notification.

Witness [redacted] said that after seeing the extent of Deputy [redacted] and Deputy [redacted] injuries the following day, his only regret was that he did not "insist" on the deputies being medically treated that night.

Witness [redacted] was interviewed regarding the criminal portion of this incident by ICIB personnel, and the interview was audio recorded. For ICIB's summary of Witness [redacted] statement see the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 88).** For the complete and detailed statement refer to the verbatim transcript included in this investigation and/or the digital audio file.

During the ICIB interview Witness [redacted] stated that as she was leaving she saw what appeared to be a serious conversation on the middle landing with several deputies. Witness [redacted] assumed that it was deputies handling deputy issues. Witness [redacted] had no indication that an incident such as this would have erupted.

During her IAB interview, [redacted] said that after the fact, she was made aware that a sergeant had approached the group and told them to tone it down a little bit.

**IAB Note: That Sergeant was identified as [redacted].**

[redacted] left the party around 2300 hours, prior to the fight.

[redacted] said that to her knowledge, the rivalry between housing areas is more a matter of pride than anything else. There was a flag football game, a "turkey tussle", wherein 2000 played a game against 3000. There are sometimes basketball competitions, things of that nature, nothing antagonistic.

[redacted] said that as she left, she saw [redacted] and [redacted] on the upper landing with their wives. There were a few deputies there too. [redacted] said she saw a group of four deputies on the middle landing. Subject Delgado, Deputy [redacted] and two other unidentified deputies were on the middle landing. [redacted] said as she neared them, they stopped talking and told her good night. She described the mood of their conversation as "tense," although she had no idea what they were talking about. She did not feel the need to inquire. She never imagined that it could have been something that would have resulted in a physical fight. [redacted] said that she said goodnight to them because she was walking past them. [redacted] said that two of the four had their backs up against the railing. [redacted] had his back to the stairs.

[redacted] said that it just seemed like a tense conversation to her; she could feel the tension. She hugged them goodbye, but did not smell alcohol on either Delgado or [redacted] said that they were drinking, but she did not think that they were intoxicated. She did not know who the other two deputies were. They were 5'08" to 5'09" with shaved heads.

She worked PM shift the following afternoon, the day after the party. Her phone started to "blow up" with people calling her to inquire about the fight. [redacted] said that what she heard was all hearsay and she did not have enough information to form her own opinion about why the fight happened. [redacted] said that given it was a physical altercation at a work-related social event, and then it could have been considered a case of Workplace Violence.

Witness [redacted] was the MCJ Operations Lieutenant the night of the fight. He stated that upon learning of an altercation involving deputies he quickly assessed that there were already several people on the platform attempting to separate the involved parties. Witness [redacted] felt that there were enough people on the landing involved in breaking up the fight. Therefore, he did not go to the middle platform and get involved. Witness [redacted] attempted to keep other personnel from going down to the middle landing.

Witness [redacted] deferred the decisions surrounding this incident to the then MCJ Unit Commander, Captain [redacted] Based on the information he had that night, Witness [redacted] felt comfortable handling this incident the following morning. Witness [redacted] said that the injuries he saw on Deputies [redacted] and [redacted] did not appear to be serious. After seeing photographs of the two deputies and seeing the extent of their injuries, Witness [redacted] said he wished he would have made sure they received medical attention immediately.

Once Witness [redacted] learned the extent of the injuries to Deputies [redacted] and [redacted] he began taking action to have the incident handled expeditiously. Witness [redacted] directed Sergeants [redacted] and [redacted] to take Duties [redacted] and [redacted] to get medically treated. (See Witness [redacted] complete and detailed statements in the verbatim transcripts, **Volume 1** and/or digital audio file).

Witness [redacted] is a [redacted] on the department assigned to MCJ. [redacted] said that there was some type of sign posted outside the banquet hall, indicating that this was their Christmas party, either the facility name, or the like. [redacted] said that the wait staff probably knew that this was a police party.

[redacted] said that at around 11:15 pm, someone, an unidentified male, came into the banquet hall and announced, in English, that there was a fight outside. [redacted] said that he got up with his wife and went outside to the upper landing to see what was happening. [redacted] was with his wife. [redacted] [redacted] was with her [redacted] The wives went outside with their husbands. [redacted] said that he saw that most everybody was down the stairs completely at the sidewalk, on the ground level. He did not see any portion of the fight, just the aftermath. [redacted] estimated that overall there were 35 to 40 people outside the facility immediately following the fight. [redacted] added that the staircase under the awning was well lit.

[redacted] said that he saw ten to twelve deputies in a group at the sidewalk level. They were milling around; males, mostly in their 20's and mostly male Hispanic and most dressed in casual business attire or suits, or shirts and ties. [redacted] had seen them in the party and recognized them vaguely in passing from the jail. Although they were not fighting, a couple of them appeared to be holding someone back. [redacted] said that he wasn't really paying attention. [redacted] said that he concerned himself with trying to get those guys to calm down and disperse from the area of the stairs. [redacted] said at the time he did not realize the magnitude of what had happened. He thought it was a one-on-one situation where maybe someone had too much to drink at the party and a couple of guys got into it.

Other supervisors present outside included [redacted] and [redacted] said he thought that [redacted] and [redacted] were outside when the fight happened. [redacted] was not sure if [redacted] was outside during the fight. The supervisors were smoking cigars right before. [redacted] does not smoke.

[redacted] said from what he knew, it was a couple of deputies from [redacted] shift who worked 3000. He was not familiar with their faces or names. [redacted] said he saw Deputy [redacted] off to the side with a scrape to his nose, with a little bit of blood. He looked as if he had been in a scuffle. Deputy [redacted] was very irate and screaming at a group of deputies who were at the bottom of the stairs. [redacted] said he did not see that [redacted] had any visible injuries. There was at least one person holding onto [redacted] because she was very agitated.

[redacted] said that he saw [redacted] with his cell phone out. [redacted] said that [redacted] appeared to be extremely intoxicated. [redacted] was standing off to the side, trying to dial his phone, yelling things like, "I'm going to bring this Department down! You don't know the people I know!" [redacted] said that [redacted] seemed to be unable to dial the numbers on his keypad because he saw his thumb on the phone and then [redacted] would exclaim, "Fuck!" [redacted] said that [redacted] was slurring his words and his eyes looked watery and bloodshot. [redacted] was too far away from [redacted] for [redacted] to smell an odor of an alcoholic beverage on [redacted] person.

[redacted] said that he did not inquire about how [redacted] was going to get home from the Quiet Cannon. He found out later that [redacted] had a designated driver. [redacted] presumed that since [redacted] was the Visiting Sergeant, that [redacted] was dealing with [redacted]

[redacted] said he did not see what [redacted] was doing after the fight. [redacted] was trying to get people to calm down and leave. [redacted] said that he joined in trying to further calm the remaining parties down. [redacted] said that there wasn't one particular supervisor who seemed to have a handle on the situation. [redacted] was also trying to calm people down. [redacted] did not remember what [redacted] was doing after the fight.

[redacted] said that four Montebello Police Department units arrived on scene within four to five minutes of his being outside. The deputies started to go towards the parking lot. [redacted] said that he thought one of the deputies that he saw was Andrade. [redacted] said that there are about 700 deputies who work at the jail and it is difficult for him to know everyone's name. [redacted] did not hear any of the deputies talk to Montebello officers; specifically he did not hear the comment, "What are you going to do, arrest us?"

[redacted] said that he talked to Officer [redacted] from Montebello PD because [redacted] used to be a deputy sheriff. [redacted] took [redacted] resignation when [redacted] quit the Sheriff's Department to go work for Montebello PD. At that point [redacted] knew that it was a fight between Department employees only. [redacted] said he thought at first that it may have been a fight between employees and people from the party in the neighboring banquet hall. [redacted] said that he did not see anyone who was seriously hurt. He thought it may have been a shoving match, some pushing, and maybe a couple of punches here and there. [redacted] said he thought that was conveyed to Montebello PD because the police left and that was it.

[redacted] said when he told [redacted] that they would handle the matter internally; he was speaking on his own, based on his presumptions about the fight and not seeing any significant injuries on those present.

[redacted] said that he did not talk to [redacted] or [redacted] to see what happened. He presumed that someone else had done that.

[redacted] said that no one was doing any of the things that the police may do at a large disturbance, such as corralling the involved parties, identifying witnesses, or taking statements. No one supervisor seemed to be in charge of the situation. [redacted] said that he presumed this was a minor shoving match and that the jail management staff would sort out what happened when they returned to the office on the following Monday. [redacted] had no idea of the extent of [redacted] and [redacted] injuries until he returned to work on the following Monday.

[redacted] said that he hung around outside to make sure nothing started back up. [redacted] said that he passed [redacted] after everything had settled down. [redacted] did not ask [redacted] if there was anything [redacted] needed or if there was anything [redacted] may have wanted [redacted] to do. [redacted] said that he went to his hotel room between 11:45 and midnight.

[redacted] said that based on what he's learned since the night of the fight, that this incident could be considered a matter of Workplace Violence. [redacted] said that when he returned to work on the following Monday, he learned that six employees had been relieved of duty and that there were significant visible injuries to [redacted] and [redacted] of which [redacted] saw photographs after the fact. [redacted] did not write a memorandum about the incident, nor was he asked to. (For the complete and detailed statement refer to the verbatim transcript and/or digital audio file).

Witness [redacted] said, while seated at a table in the Cannoneer Room with Sergeant [redacted] Deputy [redacted] and possibly Sergeant [redacted], a male employee of the Quiet Cannon approached his table and said something in Spanish, which he ([redacted] did not understand. [redacted] said even though he did not know what the waiter was saying there was no sense of alarm or urgency in his demeanor. [redacted] said [redacted] then left the table and [redacted] told [redacted] that the waiter had mentioned that there was a fight going on.

[redacted] said he had no idea who was involved in the fight and assumed that party-goers from another event that was being held in an adjoining room, not related to the Sheriff's Department, were involved. [redacted] had no recollection of making any comment or hearing [redacted] make a comment to the effect that, they're not friends of ours, made in response to the waiters' news that a fight was going on. [redacted] said [redacted] was visiting at several tables including theirs, throughout the night, but was unsure if [redacted] was present at his ([redacted]) table when they were informed of the fight.

[redacted] said everybody left the dining room, so he thought something was going on, but was one of the last people to leave the room because he was watching his wife's belongings while waiting for her to return from the restroom. He did not want to leave the room without her, leaving her to exit alone when he had no idea what she might be walking into.

When she returned, they exited the room onto the upper landing overlooking the stairway where he saw [redacted] standing with his wife. [redacted] said he saw Sergeant [redacted] walking down the stairs toward an employee and observed [redacted] who was at the bottom of the stairs **(Volume 2, Exhibit C-1)** approach someone who had an injury on his nose. [redacted] did not know who [redacted] was contacting, but found out later it was a deputy who worked the visiting area. [redacted] said the person Captain [redacted] was talking to was intoxicated and was having trouble dialing his phone, but he ([redacted] did not offer assistance or inquire as to his well-being. [redacted] said he did not contact [redacted] or [redacted] to offer any assistance saying the incident seemed to be over and most people were gone by the time he and his wife exited the dining area.

[redacted] said the party was calm for most of the evening until a large crowd of males from MCJ arrived, who were very loud, and went into the bar area. [redacted] said he knew some of them by sight but was not really familiar with them and did not associate with them throughout the evening.

[redacted] said he had no idea the incident involved deputies fighting with other deputies until several days later. Consequently, the idea of possible workplace violence did not enter his mind on the evening of the party. Even considering the event, after the fact, according to the information he received he thought it sounded like a big bar fight had occurred involving deputies. (For the complete and detailed statement refer to the verbatim transcript and/or digital audio file).

Witness [redacted] said he and wife left the party prior to the fight beginning. As he left the party he encountered [redacted] and [redacted] on the top landing of the staircase outside the Cannoneer room and stopped to talk with [redacted] and [redacted] chatted for approximately five to ten minutes about various personal and work related issues. [redacted] said he could tell [redacted] had been drinking but was not, "...to the point where he was falling down drunk," ([redacted] **IAB Interview, page 5**). [redacted] said Andrade, Delgado, and [redacted] came up to [redacted] and asked to talk with him. [redacted] said they, Andrade, Delgado and [redacted] had been drinking, but nothing that alerted him ([redacted] that they needed to be tended to. [redacted] described their demeanor as very nonchalant and non-threatening. Then [redacted] Andrade, Delgado, and [redacted] walked down the stairs to the middle landing and began talking. [redacted] and his wife then left the location and passed by the four deputies talking among themselves. As he passed by the group, [redacted] said they did not seem angry nor was there any finger pointing behavior. They were not doing anything that raised his suspicion that they were about to engage in a fight.

About an hour after arriving home (approximately midnight) [redacted] received a telephone call from [redacted] who briefly related that he and [redacted] had been in a fight with other deputies and they were going to the emergency room. [redacted] said [redacted] called him because he ([redacted] is friends with [redacted] and his family and he ([redacted] feels comfortable with him.

[redacted] instructed [redacted] to notify him as soon as they knew what medical facility they were going to ([redacted] and [redacted] do not live in L.A. County) so [redacted] could meet them there.

[redacted] explained his initial statement to ICIB investigators, "I wanted him to make sure that he told me, 'Hey, this is where I'm going to be at." so I could be there as a supervisor and circumvent that," ([redacted] **ICIB Interview, page 11**). He more fully explained that statement to IAB investigators saying, "I could circumvent any, any other involvement, any other police agency thinking that they were either suspects or victims of a crime in their area, because then I could tell them that this incident occurred in our jurisdiction and I was his supervisor and that was the direction that I was, I was trying to avoid having another agency take a police report or think that he was a suspect in a crime that may have occurred in their area," ([redacted] **IAB Interview, page 10**). [redacted] added, "And that's what I wanted to, I didn't want them to start a big investigation and get involved and have to call, find out that he was a deputy sheriff and that he was involved in a fight in L.A. County or just kind of circumvent all of that so I would be there and let them know, Hey, he's ours. This happened at a function that we're aware of and we're going to handle it," ([redacted] **IAB Interview, page 11**).

At that time [redacted] did not have specific details about the incident or about [redacted] and [redacted] injuries. Nevertheless, he called [redacted] to notify him [redacted] intentions and then waited for [redacted] to call him back. When [redacted] did not hear from [redacted] he repeatedly tried to call him but was always referred to his voice mail. The following morning (around 0630 hours) [redacted] finally heard from [redacted] who forwarded to him a photo of [redacted] injuries. [redacted] immediately notified [redacted] of the extent of the injuries, which prompted [redacted] to order [redacted] to report to work, and along with Sergeant [redacted] they were tasked with transporting both [redacted] and [redacted] to U.S. Healthworks for an examination.

[redacted] completed the Employee Injury reports, prior to [redacted] and [redacted] medical examination at U.S. Healthworks, and still not having the exact details of the incident or the injuries. [redacted] listed on both the Employee Injury reports that they had been involved in a fight (**Exhibit C-3**). He said the medical personnel completed the U.S. Healthworks forms (**Exhibit C-4**). [redacted] said he did not coach either [redacted] or [redacted] about how they answered the doctor's questions or what information was written on the medical reports.

[redacted] said both [redacted] and [redacted] were desirous of prosecution and he, [redacted] took them to Montebello Police Department the following day to report the incident. [redacted] said neither he, or to his knowledge anyone else, downplayed the incident or tried to minimize what had happened to them. He said that neither [redacted] nor [redacted] expressed that opinion to him.

[redacted] said the general demeanor of the party was docile until a group of deputies that work the 3000 floor at Men's Central Jail arrived. He described their behavior as loud and intimidating; behavior more characteristic of a group of guys drinking at a bar than attending a work related Christmas party.

[redacted] had no knowledge of three deputies possibly pounding on the windows of the Quiet Canon nightclub and who were subsequently denied access to the club.

[redacted] said from the information he received initially, he thought this was a disagreement or argument with maybe some pushing between deputies, and that was it. He learned later that the cause of the fight was possibly work related. Even after learning the extent of the fight and the injuries, [redacted] withheld any conjecture or opinion about whether or not the actions of the deputies involved workplace violence. He said since he has not interviewed all of the parties involved, and there may be many sides to the same story he did not want to offer any further opinion. At the direction of [redacted] memorialized his inquiry into the events of the evening on a memorandum dated December 11, 2010 (**Exhibit C-5**).

During the course of the IAB interview [redacted] was shown a photograph (**Exhibit C-6**), of several employees who were present at the party. He said he had not seen that particular photograph before, but had seen some of the hand gestures made by the deputies pictured in the photo in other pictures of the Christmas party.

Witness [redacted] is a sergeant on the department assigned to MCJ. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 70)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

IAB investigators conducted a follow-up interview regarding, Witness [redacted] actions and observations during this incident. The purpose of this interview was not to have Witness [redacted] retell his story, but to present him with information gleaned from other interviews, and ask clarifying questions. This interview was audio recorded and the verbatim transcript is included in this investigation. For Witness [redacted] complete and detailed statement, refer to the verbatim transcript and/or digital audio file.

[redacted] indicated, while at the party, a male waiter from the Quiet Canon facility entered the Cannoneer Room, where he ([redacted] was seated with Sergeant [redacted] and [redacted] (Sergeant [redacted] and told them, in broken English, something to the effect that your friends are fighting. [redacted] described the waiter's demeanor as matter-of-fact, so he ([redacted] was not alarmed. [redacted] said he smiled and replied something like, "They ain't friends of ours," ([redacted] **ICIB Interview, page 2**) because he assumed the fight involved partygoers from another event being held in a ballroom next door, which was not Sheriff's Department related.

[redacted] said he did not detect any signs or indications earlier in the evening which made him think anything was amiss or that there were any tensions among the Sheriff's Department personnel who had attended the party.

Consequently, [redacted] said it did not occur to him to get up and go outside to check to see if any Sheriff's Department personnel were involved in a fight.

[redacted] said he left the party to go home about ten minutes after being informed of the fight. As [redacted] left the location and walked down the stairway, he encountered [redacted] and bid him good night. As [redacted] reached the ground level he passed by [redacted] who was walking in the opposite direction. [redacted] did not offer any assistance to either supervisor or inquire if his help was needed. [redacted] also saw [redacted] (whose name he did not know at the time, but found out later) at the bottom of the staircase **(Volume 2, Exhibit s C-1 & C-2)**. [redacted] said from his vantage point he could not tell if [redacted] was intoxicated, but did note the cut on his nose. [redacted] did not offer any assistance to [redacted]

[redacted] explained his earlier statement that he didn't want anything to do with it ([redacted] **ICIB Interview, page 6**) as expressing embarrassment that a group of policemen can't attend a Christmas party without something happening. [redacted] said he did not ask either [redacted] or [redacted] if they needed his assistance as he left. [redacted] said it looked like the incident was basically over and that his help wasn't needed. [redacted] explained that at the time of the incident he was unsure if deputies were involved so he did not consider the events of the evening as possible workplace violence. However, later, after hearing rumors about how the fight started and who was involved he thought workplace violence may be involved.

Witness [redacted] is a sergeant on the department assigned to MCJ. Witness [redacted] was interviewed by ICIB investigators regarding his actions and observations during this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Witness [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 75)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

Sergeant [redacted] left before the fight. Earlier in the evening Sergeant [redacted] addressed a group of deputies that work the 3000 floor, advising them to keep in mind this was a work function and to be mindful of their alcohol consumption.

Witness [redacted] is a lieutenant assigned to Men's Central Jail. Lieutenant [redacted] attended the party with his [redacted] left before the fight.

Lieutenant [redacted] added some of his observations from earlier in the evening. He mentioned that his wife, [redacted] had seen some deputies at the restroom that appeared to be having a good time. He took this as they were "pretty liquored up." He also mentioned that while the gifts were being handed out, he saw that the "visiting table" was next to the captain's table. He stated, "They were well-behaved, quiet, moderate drinking going on."

He noticed that there were 2000 floor deputies and some 3000 floor deputies. As the gift giving proceeded, he saw six or seven deputies get up and stand along the wall. He noticed one of them throwing what he described as "gang signs."

[redacted] said that he saw a couple deputies throwing gang signs. When the gift giving was over, he said that the 2000 and 3000 deputies made a "stampede" for the bar.

When asked if he recognized what type of gang signs he saw he stated, "No." When asked if it was the style he stated, "It was the behavior. Seen it on the streets, seen it in the jail, seen it throughout my career. I think, like I said, I think I mentioned to my wife, they're throwing signs over there so."

Lieutenant [redacted] said that he has seen deputies do this before utilizing the station numbers. He further stated, "I used to work Lynwood. So we'd have the 2-5 signs. Two you know, like a 2-5 you know. So it's just the station moniker, but they were, I mean, standing there, feet kicked out like they do, kind of hunched over you know, kind of leaning over, and then, throwing the sign down and whatever. So a lot of solidarity going on on that side of the room."

When asked if there was a difference in what he had seen stations do in the past, compared to what he saw that night, he stated, "I would say, I mean I've seen stations draw the 2-1, 2-5, whatever else, in a gang-ish kind of a parody, so to speak, but this looked just like I was driving down the street, I was watching a bunch of thugs. Being, that's, that's, I mean that's the best way I can look at it. I was looking over there, going, they look like thugs. They didn't look like deputies. They looked like, or emulating that gang-style." (For the complete and detailed statement refer to the verbatim transcript and/or digital audio file).

**MONTEBELLO PD DISCOURTESY ALLEGATION:**

Montebello Police Department responded to a radio call of subjects fighting at the location. Officer [redacted] said he attempted to make contact with several subjects, as they were walking away, and some of the subjects were uncooperative, belligerent, and used vulgar language when addressing the officer.

Witness [redacted] is a Montebello police officer that responded to the location on the night of the incident. Officer [redacted] was interviewed by ICIB investigators regarding his actions and observations on the night of this incident. This interview was audio recorded and a copy of the verbatim transcript is included in this investigation. For a summary of Officer [redacted] interview with ICIB refer to the Supplemental Report located in the criminal case book **(Volume 3, Exhibit A, page 52)**. For the complete and detailed statement refer to the verbatim transcript and/or digital audio file.

During his first interview with ICIB, Officer [redacted] viewed a "six-pack" photographic line up and identified Deputy [redacted] from the photographs, as being the individual that was disrespectful to him. ICIB investigators interviewed Officer [redacted] a second time and he gave a physical description of the individual that he alleged was being belligerent. Officer [redacted] described the subject as a male white approximately 6'00" – 6'01", 180 lbs, wearing suit.

Deputy [redacted] is a male white, 6'4" 250 lbs (according to DMV records). Deputy [redacted] was ruled out as the individual, based on the disparity in the physical description.

On February 7, 2011, at 0502 hours, **Montebello Police Officer** [redacted] was interviewed in a conference room at the Montebello Police Station, by IAB Sergeants Dinah Grote and Laura Haynes.

Officer [redacted] was asked to provide additional information regarding his contact with the group of males. He and Officer [redacted] arrived simultaneously and he parked his patrol car behind Officer [redacted] Officer [redacted] contacted a group of males near the sidewalk and he saw a group of nine or ten males in the street, so he exited his patrol car to detain the males.

Officer [redacted] told the males to hold up so that he ([redacted] could ascertain what had occurred. He stated a belligerent male White, approximately 25-29 years old, told the other males, "Let's go, let's go." He then saw a male in the group who looked disheveled with blood on his shirt. The male declined medical assistance stating it was a 242 mutual combat, adding that they were leaving.

Officer [redacted] told the males to hang on until he checked with his partner, Officer [redacted] The belligerent male then made several comments ("You know this is bullshit... What you gonna do, arrest us... This is stupid... We're outta here") then said talk to our sergeant. A male then walked over to him and identified himself as a sergeant. The male apologized to Officer [redacted] and stated that he would calm down the group of males while [redacted] conducted his investigation, so Officer [redacted] then walked over to assist Officer [redacted]

He stated he had no further contact with the group of males because they had dispersed before his return to them. For further regarding his statements made to the Internal Criminal Investigators, refer to the Transcriptions section, under "ICIB Interview."

Officer [redacted] stated his contact with the group of males was approximately 45-60 seconds. He said he did not request, nor was he shown any identification or badges from the group of males. He said the belligerent male had possibly consumed a few alcoholic drinks, but he did not appear to slur his words. It appeared to Officer [redacted] that the belligerent male was trying to assert dominance by not listening to him ([redacted] encouraging the other males in the group to leave. He felt the male was disrespectful toward him and it appeared that the male did not care that he ([redacted] was a police officer. For further regarding his statements made to the Internal Affairs Investigators, refer to the Transcriptions section, under "IAB - Interview #1."

*On February 14, 2011, at 0440 hours, Montebello Police Officer [redacted] was re-interviewed in a conference room at the Montebello Police Station, by IAB Sergeants Dinah Grote and Laura Haynes. He was provided photographs of the location and of department employees. Below is a summary of the interview. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts listed under the **Transcriptions** section of the casebook*

Officer [redacted] was provided a photograph **(Volume 2, Exhibit E-3)** of the roadway outside of the nightclub at the Quiet Cannon restaurant. He stated that he parked his vehicle behind Officer [redacted] vehicle near the nightclub's staircase. He stated this was the area which he made contact with the nine or ten males, including the uncooperative male and the male sergeant. On the photograph, Officer [redacted] depicted the location and position of Officer [redacted] vehicle, which he labeled.

Officer [redacted] was provided a photograph **(Volume 2, Exhibit E-3)** taken on the night of the party showing a group of 13 males standing on the landing outside of the Cannoneer and VIP rooms. He identified the uncooperative male standing the middle of the group, located in the back row. Officer [redacted] circled the face, signed and dated the photograph.

**IAB Note: The male identified in the group photograph is believed to be Deputy [redacted]**

Officer [redacted] identified a male from a copy of a Department of Motor Vehicles (DMV) photograph **(Volume 2, Exhibit E-3)**. He stated that although the male's hair was shorter in the DMV photograph, it was the same uncooperative male. Officer [redacted] dated, printed and signed his name to the DMV photograph.

**IAB Note: The male identified in the Department of Motor Vehicles (DMV) photograph is Deputy [redacted] Deputy [redacted] physical description matches that of the description given to ICIB during Officer [redacted] second interview.**

In a photograph **(Volume 2, Exhibit E-3)** taken on the night of the party, Officer [redacted] identified the sergeant who took control of the group. Officer [redacted] dated, printed and signed his name to the photograph.

**IAB Note: The male identified in the photograph is Sergeant [redacted]**

For further regarding Officer [redacted] statements, refer to the Transcriptions section, under "IAB - Interview #2." The (4) photographs were included and are located at the back these transcripts **(Volume 2, Exhibit E-3)**.

In Deputy [redacted] ICIB interview **[EXHIBIT A, page 72]**, he stated he was in the parking lot area with Deputies Delgado, [redacted] Andrade, [redacted] and he "believes" [redacted] (Deputy [redacted] initially said Deputy [redacted] and then said he was unsure if [redacted] was present).

Deputy [redacted] said a Montebello officer told them "You guys can't leave..." [redacted] went on to say "...but we took off anyway..." **(Page 22)**

Deputy [redacted] went on to say that the Montebello officer said "... you guys have to stay here. Wait for my sergeant to get here..." Deputy [redacted] said he heard the Montebello sergeant say "...get out of here..." **(Page 23)**

**IAB Note: There was no Montebello Police sergeant on duty that shift and the acting sergeant (Senior Officer [redacted]) said he spoke with Officer [redacted] as Officer [redacted] was leaving the location. Furthermore, Officer [redacted] stated he did not contact anyone other than his officers.**

Deputy [redacted] also stated during his interview that Sergeant [redacted] directed Deputy [redacted] and [redacted] to bring Subject Delgado back to the location. Deputy [redacted] said they did not bring Subject Delgado back to where the sergeant was. When asked why, Deputy [redacted] stated it was because "... Subject Delgado was mad... it wouldn't do any good... everything had already happened..." **(Page 25).**

## [redacted] EMPLOYEE DISCOURTESY ALLEGATION:

During ICIB's investigation it was learned through interviews that at least three male subjects went to the wrong door of the Quiet Cannon facility and began banging on the door trying to gain entrance into the VIP Room. The Quiet Cannon [redacted] (Witness [redacted]) observed these subjects and called them over to him so he could inquire about their intended location.

The three subjects allegedly identified themselves as deputy sheriffs, were rude, discourteous, and bumped Witness [redacted] During this encounter, an older well dressed person came to where [redacted] was having contact with these three individuals and advised [redacted] that he would take care to get the three subjects to the right place.

[redacted]

On February 9, 2011, at 1525 hours, [redacted], [redacted] at the Quiet Cannon Restaurant, was interviewed at the Quiet Cannon Restaurant by IAB Sergeants Dinah Grote and Laura Haynes. Below is a summary of the interview. Precise wording may be obtained by reviewing the digitally audio recorded interview located in IAB's audio files, and/or the verbatim transcripts listed under the Transcriptions section of the casebook.

Mr. [redacted] stated he was standing on the sidewalk outside of the nightclub door when he heard loud pounding on glass doors and windows. Stepping out onto the driveway to a frontal raised grass area, Mr. [redacted] looked up and saw three males standing on the upstairs landing located at the emergency exit door to the VIP Room. The men were hitting the glass with their fists and open palmed hands.

Fearing they would break the glass, Mr. [redacted] called out to them numerous times to get their attention. He believed the men were guests in the VIP Room and had locked themselves out when they exited the emergency door. Mr. [redacted] told the men to come down the

staircase, which they complied to. The men staggered as they walked down the staircase. Mr. [redacted] then realized the men were intoxicated.

**IAB Note:** **Mr. [redacted] stated he has 20+ years of employment working in clubs and has been exposed to many drunk and intoxicated persons.**

Mr. [redacted] stepped back onto the driveway adjacent to the grass area and watched as the three men staggered toward him. He said the men walked side by side with their arms placed across each other's shoulders as if to assist themselves in walking. As they neared Mr. [redacted] and before he could say something to the men, one of the males pushed Mr. [redacted] right shoulder with his right hand while they continued walking past Mr. [redacted] toward the nightclub. Mr. [redacted] stated he had to take a step backward to catch himself.

**IAB Note:** **Mr. [redacted] was provided a photograph of the street/driveway area outside of the nightclub At Quiet Cannon. He placed "x's" on the photograph indicating his location and that of the intoxicated males. The photographed was included at the back of Mr. [redacted] "IAB" transcripts.**

Mr. [redacted] followed the men and signaled to the security guards not to let the men gain access.

**IAB Note:** **Security Guard [redacted], from [redacted], was working the "20/20 Club," at the Quiet Cannon, which is located below the VIP Room. He was identified by ICIB as possibly observing the verbal argument between deputies and Quiet Cannon [redacted], Mr. [redacted]. According to ICIB investigators, numerous attempts to contact Mr. [redacted] have been unsuccessful. On February 23, 2011 Sergeant Haynes (IAB) telephoned Mr. [redacted] employment, [redacted], [redacted] and a possible personal phone number, [redacted] at the following times; 0930 hours, 1100 hours and 1530 hours, there was no answer at either number. Sergeant Haynes attempted to call Mr. [redacted] on February 24, 2011 at 0810 hours at both numbers and received no answer. Additionally, the [redacted] telephone number has a voice mailbox full message, and the [redacted] telephone number has no voice mail to leave a message. Mr. [redacted] was not interviewed.**

When the men were denied entry, Mr. [redacted] told the men he would get them back to the VIP Room. He said the three men made comments such as, "Do you know who we are? We're deputies." Mr. [redacted] told the men to follow him so that he could get them back to their own party. He said as they all walked in the driveway toward the Cannoneer Room, the men continued to be verbally abusive toward him.

Mr. [redacted] said the male who pushed him is a Hispanic, 25-29 years old, between 5' 8" - 5' 10", 140-150 lbs., slight build, short-shaved head, wearing a dark blue, long sleeved dress shirt, grey pants. The second male is described as Hispanic, 25-29 years old, 6' 0", 160-170 lbs, wearing a white, long sleeved shirt. The third male is Hispanic, 25-29 years, 5' 10", 180-190 lbs.

Just prior to reaching the canopy area at the street side, Mr. [redacted] stated three to four older men (40-50 years old), clean-cut, well-dressed, approached them. Specifically, Mr. [redacted] stated one of the older men, a Hispanic with black combed back hair, and asked Mr. [redacted] if there was a problem. Mr. [redacted] identified himself and told the older men that the three individuals were deputies, they were verbally abusive, and intoxicated.

Mr. [redacted] said the older male identified himself as being a Sheriff too, apologized to Mr. [redacted] and said they would take care of the three intoxicated males. Mr. [redacted] stated the demeanor of the intoxicated males changed when the older men arrived. This lead Mr. [redacted] to believe that the older men were superior to the intoxicated males. He said all the males then went toward the Cannoneer/VIP Room staircase.

**IAB Note:** **Mr. [redacted] was provided numerous photographs of employees and supervisors taken during the party and of the subjects taken two weeks after the party. Mr. [redacted] stated the second male described had a narrow face, similar to that of Deputy [redacted] stating his face looked "familiar," but he could not positively identify him. He could not identify the male who pushed him or the third male. Mr. [redacted] pointed out a photograph of a male who he said looked like the older male Sheriff who he spoke to regarding the intoxicated males. The male identified in the photograph is Sergeant [redacted]**

**Additional:** **Sgt. [redacted] said he did not have any knowledge of the above stated incident.**

Witness [redacted] is assigned to Men's Central Jail/3000 floor. Witness [redacted] was interviewed regarding the criminal portion of this incident by ICIB personnel, and the interview was audio recorded. For ICIB's summary of Witness [redacted] statement see the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 96).** For the complete and detailed statement refer to the verbatim transcript included in this investigation and/or the digital audio file.

Witness [redacted] said he attended the Christmas party and drove with Deputies [redacted] and [redacted] When they first arrived Witness [redacted] said the three of them went to the wrong banquet room on the second story. Witness [redacted] indicated that Deputy [redacted] Deputy [redacted] and himself, went to the wrong door when they arrived and were directed to their party by an employee **(Refer to page 6 of ICIB transcript).**

Witness [redacted] was interviewed by ICIB regarding his observations. For Witness [redacted] complete statement refer to the Supplemental Report in the criminal case book **(Volume 3, Exhibit A, page 142)**

Witness [redacted]. was in the "VIP Room" attending a party. He was shown a photographic line-up and identified Subject [redacted] as one of the subjects that attempted to get into the "VIP Room" party.

> **IAB Note: Throughout the course of the criminal investigation, the following deputies were identified by witnesses as having gone to the wrong door before finding the "[redacted] room: [redacted] Andrade, Delgado, [redacted] and [redacted]**

## ALCOHOL CONSUMPTION / WEAPONS:

Throughout the course of this investigation, through witness interviews it became apparent that alcohol may have been a contributing factor in this incident. Facts were compiled, as a result of witness interviews, regarding alcohol consumption and possible levels of intoxication. The information gathered, as it relates to alcohol and the impairment level it had on individuals, was based strictly on the individual's statement as to how many drinks they had, and other witness assessments and/or perceptions of various individuals as stated in their interviews.

IAB investigators are unable to factually identify a level of intoxication, impairment, or blood alcohol level due to the many unknown variables, (weight, tolerance, food intake, period of consumption, size, content, and mixture of the various drinks etc).

ICIB investigators were directed to ask several questions regarding alcohol concerns. This directive was given after several interviews had already been completed. Therefore some employees were not asked all alcohol related questions.

The majority of department employees were asked the following set of questions.

1. How many drinks did you have?
2. What did you drink?
3. Were you armed? (Sworn personnel)
4. Did you see anyone that appeared intoxicated?

To assist in documenting these concerns, a spreadsheet was created and is attached to the back of his summary. A graph chart **(Volume 2, Exhibit K)** was also created that displays the following information.

- How many drinks a person admittedly consumed.
- If they were armed.
- If they drove away from the party (If known).

Additional follow-up questions may have been asked dependent on the responses to the above questions.

This event included a dinner; there was dancing and an "open bar" where people could purchase various alcoholic beverages, such as beer, wine, and mixed drinks. Some individuals acknowledge attending a function and consuming alcohol prior to arriving at the Christmas party.

Four individuals and their appearance of intoxication were commented on by one or more witnesses during their interviews. These witnesses and their comments are summarized below under the respective employee they commented about. For the complete and detailed statement of these witnesses refer to their individual transcripts.

**Deputy [redacted]**
Deputy [redacted] statement is that he could not remember how much he drank, estimated between five to ten drinks of various types of alcohol from beer to Tequila. Deputy [redacted] acknowledged he drank too much too fast. Deputy [redacted] said he began to fill sick and wanted to leave. Deputy [redacted] said he was escorted out to his car by another deputy (Deputy [redacted] Deputy [redacted] said he fell asleep in his car and woke up around 4am. When he awoke everyone was gone and he drove home. On a scale of 1-10, with 1 being sober and 10 being passed out drunk, Deputy [redacted] placed himself at a "7."

Sergeant [redacted] said Deputy [redacted] "... looked like he had too much to drink and he (Sergeant [redacted] told deps he [redacted] needs to go to the car..." Sergeant [redacted] said some other deputies escorted Deputy [redacted] out of the party.

**Deputy Hernan Delgado (subject)**
Custody Assistant [redacted] said "... I saw him drinking... know he was intoxicated..." (Page 13). "... Seemed like he had been drinking..."

**Deputy [redacted] (subject)**
Captain [redacted] said "... [redacted] drunk... happy drunk..." (Page 10 of ICIB interview)

Custody Assistant [redacted] said she saw Deputy [redacted] on the upper landing and [redacted] was, "drunk..." (Page 13)

**Deputy** [redacted] stated he had 10 beers one shot of alcohol.

Deputy [redacted] said Deputy [redacted] was "..[redacted]..[redacted]"
Sergeant [redacted] said Deputy [redacted] "...appeared to be extremely intoxicated." (Page)

Deputy [redacted] said Deputy [redacted] "...looked like he had been drinking... by the smell... not slurring alert when on the phone..."

Custody Assistant [redacted] said he talked to [redacted] before the incident and Deputy [redacted] was "...very intoxicated..." (Page 14)

Sergeant [redacted] said that he saw [redacted] with his cell phone out. [redacted] said that [redacted] appeared to be extremely intoxicated. [redacted] was standing off to the side, trying to dial his phone, yelling things like, "I'm going to bring this Department down! You don't know the people I know!" [redacted] said that [redacted] seemed to be unable to dial the numbers on his keypad because he saw his thumb on the phone and then [redacted] would exclaim, "Fuck!" [redacted] said that [redacted] was slurring his words and his eyes looked watery and bloodshot.

Deputy [redacted] said Deputy [redacted] had been drinking and had a "good buzz," however he did not appear drunk. Deputy [redacted] was not slurring his words or staggering

**IAB Note:** **There were numerous witnesses who testified to seeing a very intoxicated male in the room who remains unidentified. A few supervisors noticed him but did not feel he needed intervention, and felt he could care for himself.**

**Additional:** **Of all the supervisory personnel interviewed, none of them felt anyone at the party were unable to care for themselves or felt, they (supervisors) needed to intervene with the exception of Sergeant** [redacted]

**Sergeant** [redacted] **did initiate a conversation with the large group of boisterous deputies in the room, in a pre-emptive manner and prior to any issues arising, but did not take further action.**

Alcohol and Firearms at Party

Weapon Code: 0-No Weapon, 1-On Person, 2-In Vehicle, 3-Unknown/Other
Drive Home Code: 0-Did not Drive, 1-Drove, 2-Unknown/Other

| Name | Rank | Drinks | Weapor | Drive | Comments |
|---|---|---|---|---|---|
| [redacted] | DSG | 4 | 1 | 2 | Had weapon - Believed to be on person |
| [redacted] | DSG | 2 | 0 | 1 | 2 Beers/"Designated Driver" |
| Andrade, Alfonso | DSG | 1 | 0 | 0 | **Drank alcohol - Unknown amount |
| [redacted] | DSG | 4 | 0 | 0 | 3 Jack Daniels and Cokes/1 shot Tequila |
| [redacted] | DSG | 1 | 2 | 2 | 1 Beer/Unknown if drove |
| [redacted] | DSG | 8 | 2 | 1 | 8-10 Vodka and Water |
| [redacted] | C/A | 4 | 0 | 0 | 4 Drinks/Stayed at hotel |
| [redacted] | DSG | 1 | 2 | 2 | 1 whiskey - Did not finish drink |
| [redacted] | SGT | 2 | 0 | 0 | 2 Glasses of Wine |
| [redacted] | CAPT | 3 | 0 | 2 | 1 Jack Daniels and Coke/1 Shot whiskey/1 1/2 unknown drinks |
| [redacted] | DSG | 5 | 0 | 1 | 5 to 10 Beers and Tequila Shots/Passed Out/Drove home at 0400 hours |
| [redacted] | SGT | 3 | 0 | 1 | 3 Vodka and Cranberry |
| Delgado, Hernan | DSG | 4 | 0 | 0 | 4 Jack Daniels and Cokes |
| [redacted] | DSG | 0 | 0 | 2 | At Club QC - Left at 0130 hours/Not asked if he drank, weapon or drove |
| [redacted] | SGT | 3 | 0 | 1 | 3 Jack Daniels and Cokes |
| [redacted] | DSG | 3 | 0 | 1 | 3 whiskey on Rocks/Drove home at 0100 hours |
| [redacted] | DSG | 0 | 0 | 1 | Does not drink |
| [redacted] | B-1 | 3 | 0 | 1 | 3 Jack Daniels and Cokes |
| [redacted] | LT | 0 | 0 | 1 | Left party before fight/Did not ask questions about alcohol/firearm |
| [redacted] | B-1 | 3 | 0 | 0 | 3 Jack Daniels and Cokes |
| [redacted] | DSG | 4 | 0 | 2 | 2 Beers and 2 Patron shots |
| [redacted] | SGT | 3 | 0 | 1 | 3 Jack Daniels and Cokes |
| [redacted] | DSG | 1 | 0 | 1 | 1 Long Island Iced Tea |
| [redacted] | CAPT | 2 | 3 | 2 | 2-3 Jack Daniels on the Rocks/Weapon in wife's purse |
| [redacted] | DSG | 6 | 0 | 0 | 6 or more Coors Light Beers |
| [redacted] | SGT | 0 | 2 | 2 | No Alcohol/Weapon in car |
| [redacted] | SGT | 3 | 0 | 2 | 3 Beers |
| [redacted] | LET | 1 | 0 | 0 | |
| [redacted] | DSG | 3 | 0 | 2 | 3 to 4 Volka Cranberry/whiskey prior to party |
| [redacted] | DSG | 0 | 2 | 1 | |
| [redacted] | C/A | 3 | 0 | 2 | 2 Vodka and Red Bull/1 Lemon Drop |
| [redacted] | B-1 | 3 | 0 | 0 | 3 to 4 Bud Lights/Stayed at Hotel |
| [redacted] | LT | 2 | 0 | 1 | 2 Southern Comfort Rocks drinks |

Alcohol and Firearms at Party

Weapon Code: 0-No Weapon, 1-On Person, 2-In Vehicle, 3-Unknown/Other
Drive Home Code: 0-Did not Drive, 1-Drove, 2-Unknown/Other

| | | | | | |
|---|---|---|---|---|---|
| [redacted] | C/A | 0 | 0 | 0 | |
| [redacted] | DSG | 1 | 0 | 1 | 1/2 Long Island Iced Tea |
| [redacted] | LT | 0 | 0 | 1 | |
| [redacted] | DSG | 2 | 0 | 0 | 2 to 3 Jack Daniels and Cokes |
| [redacted] | C/A | 0 | 0 | 2 | Not asked if he drank or drove home |
| [redacted], [redacted] | B-1 | 1 | 0 | 2 | 1/2 Bud Light Beer/Not asked if she drove |
| [redacted] | DSG | 4 | 0 | 0 | 2 Jack Daniels and Cokes/1 Beer/1 Patron shot |
| [redacted] | DSG | 0 | 0 | 1 | |
| [redacted] | DSG | 0 | 1 | 1 | |
| [redacted] | C/A | 3 | 0 | 0 | 3 Beers |
| [redacted] | DSG | 0 | 0 | 0 | Did not drink |
| [redacted] | DSG | 1 | 0 | 2 | 1 Shot of whiskey |
| [redacted] | SGT | 0 | 0 | 0 | Unknown in all categories |
| [redacted] | SGT | 3 | 0 | 2 | 3 Beers |
| [redacted] | SGT | 3 | 2 | 2 | Less than 3 Beers |
| [redacted] | DSG | 0 | 0 | 0 | Was not asked about alcohol/weapon/driving |
| [redacted] | DSG | 3 | 0 | 1 | 1 Beer and 2 Vodka Cranberry |
| [redacted] | DSG | 0 | 1 | 1 | |
| [redacted] | SGT | 3 | 0 | 2 | 3 Beers |
| [redacted] | DSG | 1 | 0 | 1 | 1 glass of wine |
| [redacted] | LET | 0 | 0 | 0 | |
| [redacted] | C/A | 1 | 0 | 2 | 1 Bailey on the Rocks |
| [redacted] | DSG | 8 | 0 | 2 | 8 mixed drinks |
| [redacted] | SGT | 3 | 0 | 2 | 1 Beer and 2 mixed drinks |
| [redacted] | DSG | 0 | 1 | 2 | Not asked if he drove home |
| [redacted] | DSG | 3 | 0 | 2 | 3 Beers |
| [redacted] | DSG | 2 | 0 | 2 | 2 Coors Light Beers |
| [redacted] | DSG | 2 | 0 | 0 | 2 to 3 Jim Bean Rocks |
| [redacted] | DSG | 7 | 2 | 2 | 6 Jameson on the rocks/1 Beer |
| [redacted] | DSG | 4 | 0 | 1 | 2 whiskeys before party/2 to 3 Vodka and Cranberry at party. |
| [redacted] | DSG | 1 | 0 | 1 | 1 1/2 drinks |
| [redacted] | DSG | 11 | 0 | 0 | 10 Beers and 1 Shot |
| [redacted] | C/A | 0 | 0 | 2 | |
| [redacted] | DSG | 3 | 1 | 1 | 2 Jack Daniels and Cokes/1 shot Tequila |
| [redacted] | SGT | 1 | 0 | 1 | 1 Beer |

Alcohol and Firearms at Party

Weapon Code: 0-No Weapon, 1-On Person, 2-In Vehicle, 3-Unknown/Other
Drive Home Code: 0-Did not Drive, 1-Drove, 2-Unknown/Other

| | | | | | |
|---|---|---|---|---|---|
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | C/A | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |
| [redacted] | DSG | 0 | 0 | 0 | **Did not attend** |




*County of Los Angeles*
**Sheriff's Department Headquarters**
*4700 Ramona Boulevard*
*Monterey Park, California 91754-2169*



March 17, 2011

Deputy Hernan Delgado, #[redacted]

Dear Deputy Delgado:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business April 7, 2011.

An investigation under File Number IAB 2278843, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.06, Disorderly Conduct; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.23, Workplace Violence, on or about December 10, 2010, while attending a work-related social event (MCJ Christmas party) wherein you consumed alcohol, you behaved in such a manner as to bring discredit upon yourself and the Department, as evidenced by, but not limited to:

   a) being disorderly in public at the Quiet Cannon Restaurant Banquet Facility, and/or;

   b) assaulting and/or punching and/or kicking and/or hitting a co-worker, Deputy [redacted] causing physical injury.

   Your actions are completely contrary to this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Thus, you have brought discredit upon

yourself and the Los Angeles County Sheriff's Department.

2. That in violation of Manual of Policy and Procedures Section 3-01/030.10, Obedience to Laws, Regulations and Orders, on or about December 10, 2010, while attending a work-related social event (MCJ Christmas party), you were insubordinate when you failed to follow a direct order by Captain [redacted] and Lieutenant [redacted] to stop your assault of Deputy [redacted]

3. That in violation of Manual of Policy and Procedures Section 3-01/040.70, False Statements, on or about February 2, 2011, during your interview with Internal Criminal Investigations Bureau (ICIB) investigators, you made a false statement, including but not limited to, denying that you physically assaulted Deputy [redacted]

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Dennis Burns on March 31, 2011, at 0830 hours, in his office, which is located at Twin Towers Correctional Facility, 450 Bauchet Street, Los Angeles, Room E-801. If you are unable to appear at the scheduled time and wish to schedule some other time prior to March 31, 2011, for your oral response, please call Chief Burns' secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief Burns' secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Burns' office by no later than March 31, 2011.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Joseph M. Gooden, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

JMG:lh

c: Advocacy Unit
Employee Relations Unit
Chief Dennis Burns, Custody Operations Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2278843)




*County of Los Angeles*
**Sheriff's Department Headquarters**
*4700 Ramona Boulevard*
*Monterey Park, California 91754-2169*




March 17, 2011

Deputy Alfonso Andrade, #[redacted]

Dear Deputy Andrade:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business April 7, 2011.

An investigation under File Number IAB 2278843, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.06, Disorderly Conduct; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.23, Workplace Violence, on or about December 10, 2010, while attending a work-related social event (MCJ Christmas party) wherein you consumed alcohol, you behaved in such a manner as to bring discredit upon yourself and the Department, as evidenced by, but not limited to:

   a) being disorderly in public at the Quiet Cannon Restaurant Banquet Facility, and/or;

   b) assaulting and/or punching and/or hitting a co-worker, Deputy [redacted] causing physical injury, and/or;

   c) assaulting and/or punching and/or hitting a co-worker, Deputy [redacted] causing physical injury, and/or;

d) assaulting and/or punching and/or hitting a co-worker, Deputy [redacted] causing physical injury.

Your actions are completely contrary to this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Thus, you have brought discredit upon yourself and the Los Angeles County Sheriff's Department.

2. That in violation of Manual of Policy and Procedures Section 3-01/040.70, False Statements, on or about February 2, 2011, during your interview with Internal Criminal Investigations Bureau (ICIB) investigators, you made a false statement, including but not limited to, denying that you physically assaulted Deputy [redacted]

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Dennis Burns on March 31, 2011, at 0930 hours, in his office, which is located at Twin Towers Correctional Facility, 450 Bauchet Street, Los Angeles, Room E-801. If you are unable to appear at the scheduled time and wish to schedule some other time prior to March 31, 2011, for your oral response, please call Chief Burns' secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief Burns' secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Burns' office by no later than March 31, 2011.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Joseph M. Gooden, Captain
Internal Affairs Bureau

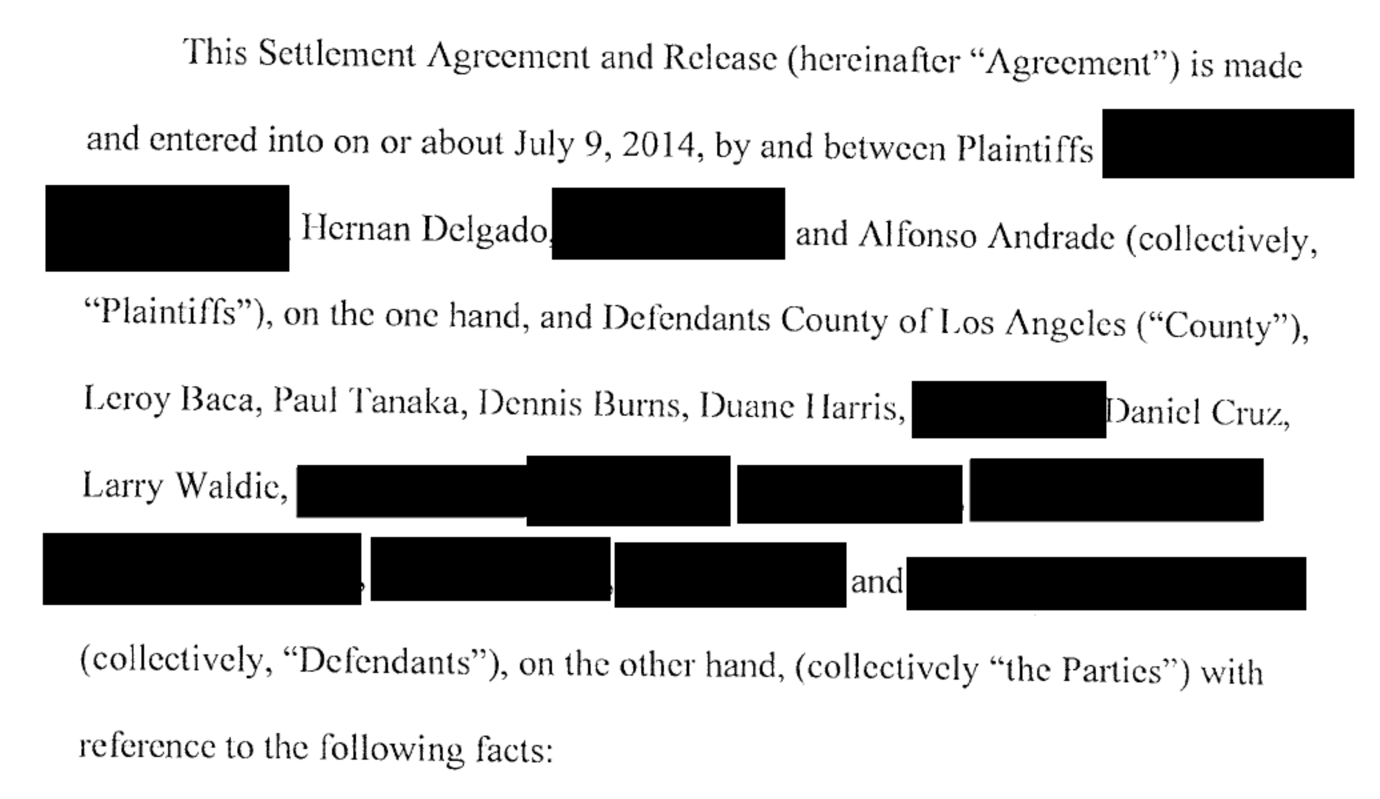
Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

JMG:lh

c: Advocacy Unit
Employee Relations Unit
Chief Dennis Burns, Custody Operations Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File #2278843)




# SETTLEMENT AGREEMENT AND RELEASE



This Settlement Agreement and Release (hereinafter "Agreement") is made and entered into on or about July 9, 2014, by and between Plaintiffs [redacted] [redacted] Hernan Delgado, [redacted] and Alfonso Andrade (collectively, "Plaintiffs"), on the one hand, and Defendants County of Los Angeles ("County"), Leroy Baca, Paul Tanaka, Dennis Burns, Duane Harris, [redacted] Daniel Cruz, Larry Waldie, [redacted], [redacted], [redacted], [redacted], [redacted] and [redacted] (collectively, "Defendants"), on the other hand, (collectively "the Parties") with reference to the following facts:

A. On or about September 21, 2012, Plaintiffs filed their original complaint in Los Angeles Superior Court. On or about April 10, 2013, Defendants removed the case to the United States District Court for the Central District of California, Case No. CV 13-02546 PSG (PJWx) ("the Civil Action"). In the Civil Action, Plaintiffs sought certain relief against Defendants, including, without limitation, monetary damages, as a result of purported events that occurred during Plaintiffs' employment with the Los Angeles County Sheriff's Department.

B. The Parties desire to settle all of Plaintiffs' claims against the Defendants arising out of the Civil Action, as well as any and all claims, known or

unknown, which Plaintiffs have or may have against the Defendants as of the date of this Agreement.

IT IS THEREFORE AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. Letters of Resignation. Concurrent with the execution of this Agreement, each of the Plaintiffs shall provide the County with a letter of resignation whereby each Plaintiff voluntarily resigns from their employment with the Los Angeles County Sheriff's Department. The County shall place each of these letters in each Plaintiff's respective personnel files.

2. Dismissal Of The Civil Action With Prejudice, All Sides To Bear Their Own Attorneys' Fees And Costs. Concurrent with the execution of this Agreement, Plaintiffs shall execute and furnish to Defendants' attorneys a duly executed stipulation to dismiss with prejudice the entire Civil Action against all Defendants, as well as an order to be entered thereon by the Court. The Parties shall bear their own costs and attorneys' fees incurred in the Civil Action.

3. Releases. Except as otherwise provided in this Agreement and as separate consideration for the agreements contained herein, Plaintiffs and their heirs, assigns and successors-in-interest ("the Releasors") hereby absolutely, generally, fully and forever release, relieve, waive, relinquish and discharge Defendants and their successors, predecessors, related entities, departments, subsidiaries, representatives, assigns, agents, partners, officers, directors,

managers, insurers, shareholders, employees, and attorneys, including, without limitation, and Lawrence Beach Allen & Choi, PC, and each of them, ("Defendants, et al.") of and from any and all manner of action or actions, cause or causes of action, claims, worker's compensation claims, suits, debts, sums of money, demands, obligations, costs, expenses, debts, controversies, damages, accounts, reckonings and liens of every kind or nature whatsoever, whether known or unknown, suspected or unsuspected, which in any way or manner could at any time be asserted, are set forth in, arise out of, concern, are based upon or relate to the Civil Action and the facts and/or allegations asserted in the Civil Action (hereinafter referred to as "the Claims").

4. <u>Release Of Unknown Claims.</u> Plaintiffs acknowledge their intention that, upon execution by all parties, this Agreement, except as expressly provided for herein, shall be effective as a full and final accord and satisfaction and settlement of and as a bar to the Claims. In connection with such waiver and relinquishment, Plaintiffs acknowledge that they are aware that their attorneys may hereafter discover facts different from or in addition to the facts which they or their attorneys now know or believe to be true with respect to the subject matter of this Agreement, but that it is their intention hereby to fully, generally, finally, absolutely and forever settle the Claims, and that in furtherance of such intention the releases herein given by the Releasors to Defendants, et al. shall be and remain

in effect as full and complete releases notwithstanding the discovery of any such different or additional facts. Therefore, Plaintiffs acknowledge that they have been informed by their attorneys, or otherwise have been informed of, and that they are familiar with, Section 1542 of the Civil Code of the State of California, which provides as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Plaintiffs hereby waive and relinquish all rights and benefits against Defendants, et al. they have or may have under Section 1542 of the Civil Code of the State of California, to the fullest extent that they may lawfully waive all such rights and benefits pertaining to the subject matter of this Agreement.

5. Disputed Claims. Plaintiffs agree, represent, and warrant that they fully understand that the Civil Action involves arguable and disputed questions of fact and law, that the liability of the Defendants for the alleged acts in the Civil Action is doubtful and disputed and that the payment herein provided for is not to be construed as an admission of liability by the Defendants, which is expressly denied, and that this Agreement arises from compromise.

6. Representation Of Comprehension Of Document. In entering into this Agreement, Plaintiffs represent that the terms of this Agreement have been completely read and the terms of this Agreement are fully understood and voluntarily accepted by Plaintiffs. Plaintiffs hereby further represent that they have not received or relied upon any legal or other advice from the Defendants, their representatives and/or attorneys.

7. Warranty Of Capacity To Execute Agreement. Plaintiffs represent and warrant that no other person(s) or entity has, or has had, any interest in the claims, demands, obligations, or causes of action referred to in this Agreement, except as otherwise set forth herein; that Plaintiffs have the sole right and exclusive authority to execute this Agreement; and that Plaintiffs have not sold, assigned, transferred, conveyed or otherwise disposed of any of the claims, demands, obligations or causes of action referred to in this Agreement.

8. Miscellaneous.

a. No Warranties Or Representations. The Parties agree that each has read this Agreement, has had an opportunity to have it fully examined by their attorney and understand the terms of this Agreement. The Parties represent and acknowledge that in executing this Agreement, they have not relied upon any representation or statement by any of the Parties or any of

the Parties' agents, representatives or attorneys in any regard including, without limitation, the subject matter, basis or effect of this Agreement.

b. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

c. California Law. This Agreement shall be interpreted under and pursuant to the laws of the State of California and not construed for or against any party.

d. Attorneys' Fees. In the event of litigation arising in the Civil Action or in any other proceeding arising out of or pursuant to this Agreement, the prevailing party in said litigation or proceeding shall be entitled to reasonable attorneys' fees.

e. Successors And Assigns. All of the terms and provisions contained herein shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, legal representatives, successors and assigns.

f. Parties In Interest. Nothing in this Agreement, whether express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any persons other than the Parties and their respective successors and assigns, nor is anything in this Agreement intended to relieve

or discharge the obligation or liability of any third persons to any party to this Agreement, nor shall any provision give any third person any right of subrogation or action over or against any party to this Agreement.

g. Further Assurances. Each of the Parties hereto shall execute and deliver any and all additional papers, documents and other assurances, and shall do any and all acts and things reasonably necessary in connection with the performance of their obligations hereunder to carry out the intent of the parties hereto.

h. Modifications Or Amendments. No amendment, change or modification of this Agreement shall be valid, unless in writing and signed by all of the Parties hereto.

i. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the Parties with respect to its subject matter and any and all prior agreements, understandings or representations with respect to its subject matter are hereby terminated and canceled in their entirety and are of no further force or effect.

j. Captions. The captions appearing at the commencement of the sections hereof are descriptive only and for convenience in reference. The sections, and not the captions, shall control and govern in the construction of this Agreement.

k. Severability. If any part of this Agreement shall be deemed unenforceable, illegal or in violation of any State or Federal law, that portion of the Agreement shall be severable and the remaining portion or portions of the Agreement shall remain in full force and effect.

l. Expenses. Each of the Parties shall pay all of their own costs, legal fees, accounting fees, and any other expenses incurred or to be incurred by it or them in negotiating and preparing this Agreement.

Dated: May 11, 2015

GREGORY W. MORENO & ASSOCIATES

By: ______________________
Arnoldo Casillas
Attorneys for Plaintiffs
[redacted], [redacted]
Noel Delgado, and Alfonso Andrade

Dated: May 14, 2015

LAWRENCE BEACH ALLEN & CHOI, PC

By: ______________________
Paul B. Beach
Attorneys for Defendants County of Los Angeles, Paul Tanaka, Leroy Baca, Scott Craig, Duane Harris, Larry Waldie, Daniel Cruz, Dennis Burns, [redacted] and [redacted]




# SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement and Release (hereinafter "Agreement") is made and entered into on or about July 9, 2014, by and between Plaintiffs [redacted] Hernan Delgado, [redacted] and Alfonso Andrade (collectively, "Plaintiffs"), on the one hand, and Defendants County of Los Angeles ("County"), Leroy Baca, Paul Tanaka, Dennis Burns, Duane Harris, [redacted] Daniel Cruz, Larry Waldie, [redacted] and [redacted] (collectively, "Defendants"), on the other hand, (collectively "the Parties") with reference to the following facts:

A. On or about September 21, 2012, Plaintiffs filed their original complaint in Los Angeles Superior Court. On or about April 10, 2013, Defendants removed the case to the United States District Court for the Central District of California, Case No. CV 13-02546 PSG (PJWx) ("the Civil Action"). In the Civil Action, Plaintiffs sought certain relief against Defendants, including, without limitation, monetary damages, as a result of purported events that occurred during Plaintiffs' employment with the Los Angeles County Sheriff's Department.

B. The Parties desire to settle all of Plaintiffs' claims against the Defendants arising out of the Civil Action, as well as any and all claims, known or

unknown, which Plaintiffs have or may have against the Defendants as of the date of this Agreement.

IT IS THEREFORE AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. Letters of Resignation. Concurrent with the execution of this Agreement, each of the Plaintiffs shall provide the County with a letter of resignation whereby each Plaintiff voluntarily resigns from their employment with the Los Angeles County Sheriff's Department. The County shall place each of these letters in each Plaintiff's respective personnel files.

2. Dismissal Of The Civil Action With Prejudice, All Sides To Bear Their Own Attorneys' Fees And Costs. Concurrent with the execution of this Agreement, Plaintiffs shall execute and furnish to Defendants' attorneys a duly executed stipulation to dismiss with prejudice the entire Civil Action against all Defendants, as well as an order to be entered thereon by the Court. The Parties shall bear their own costs and attorneys' fees incurred in the Civil Action.

3. Releases. Except as otherwise provided in this Agreement and as separate consideration for the agreements contained herein, Plaintiffs and their heirs, assigns and successors-in-interest ("the Releasors") hereby absolutely, generally, fully and forever release, relieve, waive, relinquish and discharge Defendants and their successors, predecessors, related entities, departments, subsidiaries, representatives, assigns, agents, partners, officers, directors,

managers, insurers, shareholders, employees, and attorneys, including, without limitation, and Lawrence Beach Allen & Choi, PC, and each of them, ("Defendants, et al.") of and from any and all manner of action or actions, cause or causes of action, claims, worker's compensation claims, suits, debts, sums of money, demands, obligations, costs, expenses, debts, controversies, damages, accounts, reckonings and liens of every kind or nature whatsoever, whether known or unknown, suspected or unsuspected, which in any way or manner could at any time be asserted, are set forth in, arise out of, concern, are based upon or relate to the Civil Action and the facts and/or allegations asserted in the Civil Action (hereinafter referred to as "the Claims").

4. Release Of Unknown Claims. Plaintiffs acknowledge their intention that, upon execution by all parties, this Agreement, except as expressly provided for herein, shall be effective as a full and final accord and satisfaction and settlement of and as a bar to the Claims. In connection with such waiver and relinquishment, Plaintiffs acknowledge that they are aware that their attorneys may hereafter discover facts different from or in addition to the facts which they or their attorneys now know or believe to be true with respect to the subject matter of this Agreement, but that it is their intention hereby to fully, generally, finally, absolutely and forever settle the Claims, and that in furtherance of such intention the releases herein given by the Releasors to Defendants, et al. shall be and remain

in effect as full and complete releases notwithstanding the discovery of any such different or additional facts. Therefore, Plaintiffs acknowledge that they have been informed by their attorneys, or otherwise have been informed of, and that they are familiar with, Section 1542 of the Civil Code of the State of California, which provides as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Plaintiffs hereby waive and relinquish all rights and benefits against Defendants, et al. they have or may have under Section 1542 of the Civil Code of the State of California, to the fullest extent that they may lawfully waive all such rights and benefits pertaining to the subject matter of this Agreement.

5. Disputed Claims. Plaintiffs agree, represent, and warrant that they fully understand that the Civil Action involves arguable and disputed questions of fact and law, that the liability of the Defendants for the alleged acts in the Civil Action is doubtful and disputed and that the payment herein provided for is not to be construed as an admission of liability by the Defendants, which is expressly denied, and that this Agreement arises from compromise.

6. Representation Of Comprehension Of Document. In entering into this Agreement, Plaintiffs represent that the terms of this Agreement have been completely read and the terms of this Agreement are fully understood and voluntarily accepted by Plaintiffs. Plaintiffs hereby further represent that they have not received or relied upon any legal or other advice from the Defendants, their representatives and/or attorneys.

7. Warranty Of Capacity To Execute Agreement. Plaintiffs represent and warrant that no other person(s) or entity has, or has had, any interest in the claims, demands, obligations, or causes of action referred to in this Agreement, except as otherwise set forth herein; that Plaintiffs have the sole right and exclusive authority to execute this Agreement; and that Plaintiffs have not sold, assigned, transferred, conveyed or otherwise disposed of any of the claims, demands, obligations or causes of action referred to in this Agreement.

8. Miscellaneous.

a. No Warranties Or Representations. The Parties agree that each has read this Agreement, has had an opportunity to have it fully examined by their attorney and understand the terms of this Agreement. The Parties represent and acknowledge that in executing this Agreement, they have not relied upon any representation or statement by any of the Parties or any of

the Parties' agents, representatives or attorneys in any regard including, without limitation, the subject matter, basis or effect of this Agreement.

b. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

c. California Law. This Agreement shall be interpreted under and pursuant to the laws of the State of California and not construed for or against any party.

d. Attorneys' Fees. In the event of litigation arising in the Civil Action or in any other proceeding arising out of or pursuant to this Agreement, the prevailing party in said litigation or proceeding shall be entitled to reasonable attorneys' fees.

e. Successors And Assigns. All of the terms and provisions contained herein shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, legal representatives, successors and assigns.

f. Parties In Interest. Nothing in this Agreement, whether express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any persons other than the Parties and their respective successors and assigns, nor is anything in this Agreement intended to relieve

or discharge the obligation or liability of any third persons to any party to this Agreement, nor shall any provision give any third person any right of subrogation or action over or against any party to this Agreement.

g. Further Assurances. Each of the Parties hereto shall execute and deliver any and all additional papers, documents and other assurances, and shall do any and all acts and things reasonably necessary in connection with the performance of their obligations hereunder to carry out the intent of the parties hereto.

h. Modifications Or Amendments. No amendment, change or modification of this Agreement shall be valid, unless in writing and signed by all of the Parties hereto.

i. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the Parties with respect to its subject matter and any and all prior agreements, understandings or representations with respect to its subject matter are hereby terminated and canceled in their entirety and are of no further force or effect.

j. Captions. The captions appearing at the commencement of the sections hereof are descriptive only and for convenience in reference. The sections, and not the captions, shall control and govern in the construction of this Agreement.

k. Severability. If any part of this Agreement shall be deemed unenforceable, illegal or in violation of any State or Federal law, that portion of the Agreement shall be severable and the remaining portion or portions of the Agreement shall remain in full force and effect.

l. Expenses. Each of the Parties shall pay all of their own costs, legal fees, accounting fees, and any other expenses incurred or to be incurred by it or them in negotiating and preparing this Agreement.

Dated: May 11, 2015

GREGORY W. MORENO & ASSOCIATES

By: ______________________
Arnoldo Casillas
Attorneys for Plaintiffs [redacted], [redacted]
Noel Delgado, and Alfonso Andrade

Dated: May 14, 2015

LAWRENCE BEACH ALLEN & CHOI, PC

By: ______________________
Paul B. Beach
Attorneys for Defendants County of Los Angeles, Paul Tanaka, Leroy Baca, Scott Craig, Duane Harris, Larry Waldie, Daniel Cruz, Dennis Burns, [redacted] and [redacted]



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

July 25, 2011

Deputy Hernan Delgado, [redacted]
[redacted]

Dear Deputy Delgado:

On March 17, 2011, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2278843. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, it was determined that the recommended discipline is appropriate.

You are hereby notified that you are discharged from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective as of the close of business on July 22, 2011.

An investigation under File Number IAB 2278843, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.06, Disorderly Conduct; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.23, Workplace Violence, on or about December 10, 2010, while attending a work-related social event (MCJ Christmas party) wherein you consumed alcohol, you behaved in such a manner as to bring discredit upon yourself and the Department, as evidenced by, but not limited to:

    a) being disorderly in public at the Quiet Cannon Restaurant Banquet Facility, and/or;

b) assaulting and/or punching and/or kicking and/or hitting a co-worker, Deputy [redacted] causing physical injury.

Your actions are completely contrary to this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Thus, you have brought discredit upon yourself and the Los Angeles County Sheriff's Department.

2. That in violation of Manual of Policy and Procedures Section 3-01/030.10, Obedience to Laws, Regulations and Orders, on or about December 10, 2010, while attending a work-related social event (MCJ Christmas party), you were insubordinate when you failed to follow a direct order by Captain [redacted] and Lieutenant [redacted] to stop your assault of Deputy [redacted]

3. That in violation of Manual of Policy and Procedures Section 3-01/040.70, False Statements, on or about February 2, 2011, during your interview with Internal Criminal Investigations Bureau (ICIB) investigators, you made a false statement, including but not limited to, denying that you physically assaulted Deputy [redacted]

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of the Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of discharge, request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

DENNIS H. BURNS, CHIEF
CUSTODY OPERATIONS DIVISION

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

DHB:JMG:md

c: Advocacy Unit
Ralph G. Ornelas, Captain, Men's Central Jail
Internal Affairs Bureau
Office of Independent Review (OIR)
Kevin E. Hebert, Captain, Personnel Administration



# County of Los Angeles

Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

July 25, 2011

Deputy Alfonso Andrade, [redacted]

Dear Deputy Andrade:

On March 17, 2011, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2278843. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, it was determined that the recommended discipline is appropriate.

You are hereby notified that you are discharged from your position of Deputy Sheriff, Item No.2708A, with this Department, effective as of the close of business on July 22, 2011.

An investigation under File Number IAB 2278843, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.06, Disorderly Conduct; and/or 3-01/000.10, Professional Conduct; and/or 3-01/030.23, Workplace Violence, on or about December 10, 2010, while attending a work-related social event (MCJ Christmas party) wherein you consumed alcohol, you behaved in such a manner as to bring discredit upon yourself and the Department, as evidenced by, but not limited to:

   a) being disorderly in public at the Quiet Cannon Restaurant Banquet Facility, and/or;

b) assaulting and/or punching and/or hitting a co-worker, Deputy [redacted] causing physical injury, and/or;

c) assaulting and/or punching and/or hitting a co-worker, Deputy [redacted] causing physical injury, and/or;

d) assaulting and/or punching and/or hitting a co-worker, Deputy [redacted] causing physical injury.

Your actions are completely contrary to this Department's Core Values, Mission and Creed and as a deputy sheriff, they simply cannot be tolerated. Thus, you have brought discredit upon yourself and the Los Angeles County Sheriff's Department.

2. That in violation of Manual of Policy and Procedures Section 3-01/040.70, False Statements, on or about February 2, 2011, during your interview with Internal Criminal Investigations Bureau (ICIB) investigators, you made a false statement, including but not limited to, denying that you physically assaulted Deputy [redacted]

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of the Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of discharge, request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

DENNIS H. BURNS, CHIEF
CUSTODY OPERATIONS DIVISION

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

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Ralph G. Ornelas, Captain, Mens' Central Jail
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